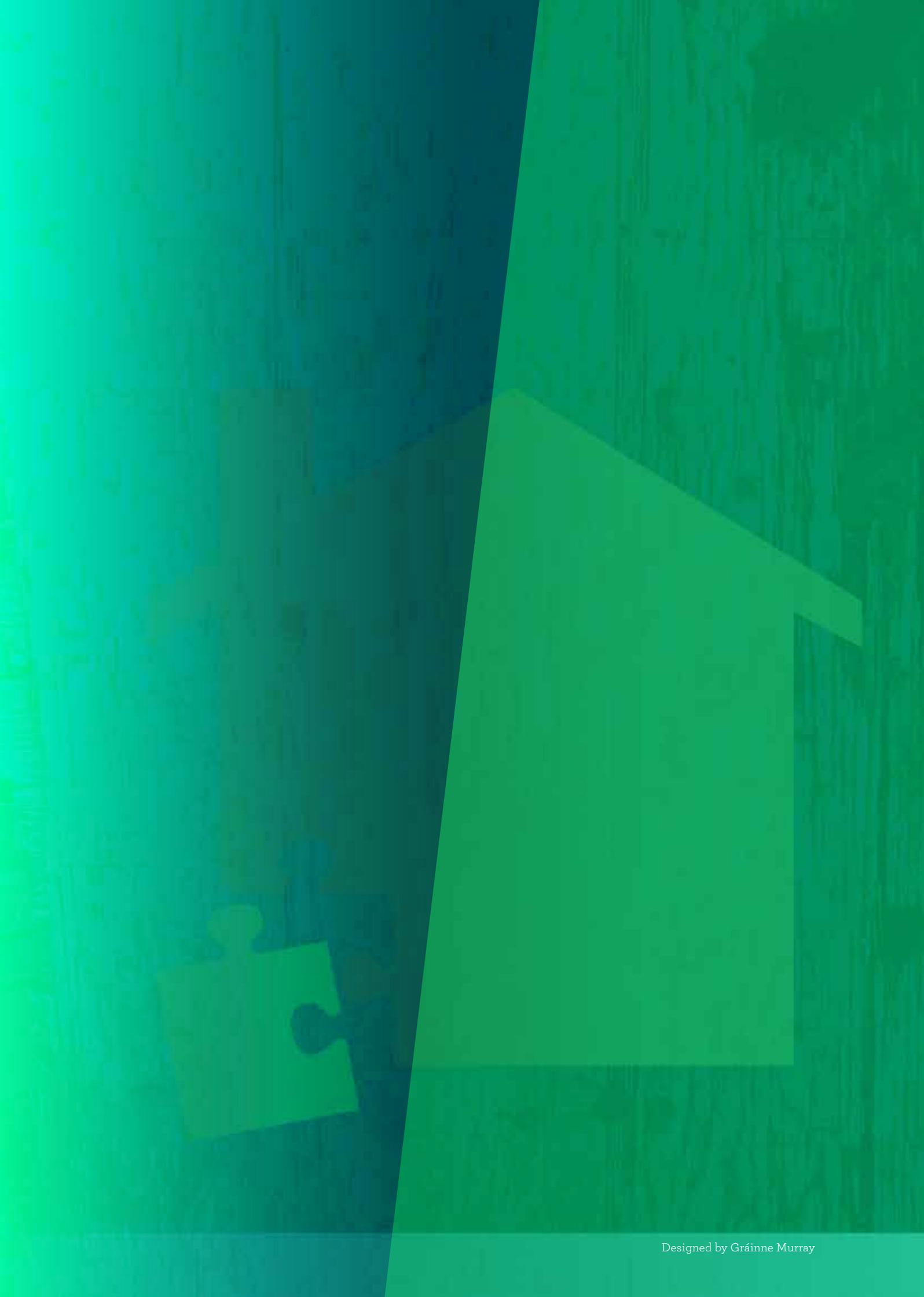


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Mercy Law Resource Centre  
**ANNUAL REPORT 2014**

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I was sleeping rough, the will was changed illegally, but I couldn't have lived with such a bully. I went to Focus Ireland who put me in touch with Mercy Law Resource Centre. It was an extremely tough time for me and I didn't know what to do about the will. [The MLRC solicitor] turned everything around, without her I wouldn't have got anywhere. I got extremely good advice to put me straight. My family doctor helped because MLRC was helping me. I have nothing but positive feelings for Mercy Law, I'm very emotional as I speak as I owe you a lot. Keep up the brilliant work.

”

“

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In early 2014 I went to Mercy Law, on a friend's advice. You see I was legally separated and my ex-wife was in the family home. During this time I became homeless due to illness. The reason I went to Mercy Law was I had a problem. In 2013 I applied to the Council to be put on the housing list, but they refused to put me on it because I'm a home owner. The staff at Mercy Law got in touch with the Council for me and about two weeks later I received a phone call from them to say I've been put on the housing list and I should hear from the Council soon. It is now 2015 and I got a place from the council!

I'm very grateful to Mercy Law for the help they gave me. They were very understanding when I went to see them. And they were very efficient in their job. They are a wonderful group of people and as I said I will always be grateful and never forget what they did for me.

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# FOREWORD

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

On behalf of the Board of Directors of Mercy Law Resource Centre I welcome you to our fourth Annual Report and I thank you for taking time to read it.

Hopefully it will present you with an overview of the work of MLRC - work which is vital to people who are homeless or at risk of homelessness, who experience legal difficulties especially in accessing housing.

The present context in which homelessness continues to increase, causing ever greater hardship and distress to many people, is deeply concerning. Indeed this tragic issue reached crisis point following the sad and untimely death of Jonathan Corrie, and dominated our headlines at the turn of the year. Government and politicians rowed in with proposed solutions but in the event little long-term progress was made, and the crisis continues unabated. Many generous people and agencies raised their voices in outrage, and took what action they could to alleviate the situation and bring reprieve to those caught up in this painful reality.

In a recent address President Michael D Higgins gave voice to that outrage. He described the present appalling lack of housing as *'the most pressing of all the manifestations of inequality in Ireland... nothing less than a fundamental challenge to the legitimacy of institutions and morality of the State'*. His compelling and challenging words are surely a sober message for us all.

Mercy Law Centre sets out to address a specific aspect of this situation - the difficulties sometimes presented by the law (and the interpretation or the application of that law), which can often put unreasonable and insurmountable obstacles in the way of people already in great distress. Having recourse to law to vindicate or defend one's rights may be easy for those who are rich, but not for those who have lost or are at risk of losing everything. Aware of this burden of poverty and inequality, Mercy Law Centre provides a free legal service of advice and representation, seeking to dismantle legal barriers, challenging the relevant authorities, and clearing a pathway to needed housing for those who are being unjustly and unfairly denied access. In 2014, 712 of such situations were addressed. The many aspects of the Service are detailed in the Report and successfully carried out with commitment and enthusiasm by our excellent staff under the able direction of Managing Solicitor Maeve Regan. To her and to each one I express deep appreciation and fullest support.

In the past twelve months the 'right to a house or home' has come clearly into the arena of human rights, an idea advocated by the recent Constitutional Convention. Mercy Law actively seeks to progress this welcome development

from a policy perspective, working collaboratively with other agencies to hasten the day when the right to a home will be constitutionally protected.

Over the coming year MLRC will continue to advise, represent, advocate, and befriend on behalf of those caught in legal difficulties in their search for a home. The Centre will continue the challenging work of vindicating the rights of those who become dispirited and even desperate due to their plight. It will also continue to share its specialist skills with other agencies who work in the field of homelessness to enable a timely response to people who need critical legal support.

Mercy Law is a totally free and independent Service which does not receive any State funds or grants. It could not exist without the great support of its donors, volunteers, interns, friends and supporters. It literally relies on your continued

support. My sincere thanks go to all who have contributed in any way, financial and otherwise, in the past year – particularly to our pro bono barristers, solicitors, auditors, befrienders and Mercy Sisters. To our Board Members, who give their excellent and responsible service voluntarily, I express our most sincere gratitude.

To be engaged in such work is a privilege and a call. In the words of Catherine McAuley: *'it is a special favour of God to be a servant of the suffering poor'*. May all who assist this service in any way be abundantly blest.



Helena O'Donoghue, Chairperson,  
Mercy Law Resource Centre, May 2015



Mercy Law Resource Centre staff



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# INTRODUCTION

MLRC Managing Solicitor, Maeve Regan

MLRC provides a unique service for people who are homeless or at risk of homelessness, a unique legal service. This annual report reflects the work carried out by MLRC in 2014, through legal advice, representation, legal support and training to organisations working in the field of homelessness, policy work and our befriending service. With the crisis in homelessness, 2014 was a very busy year for MLRC, in advocating for people facing homelessness or working to obtain a stable home. It was also a year when the lack of legal protection in relation to homelessness became very apparent. People, including families, presenting to local authorities as homeless do not have a clear basic legal entitlement to be housed, even on an emergency basis. The right to this basic protection, the right to housing, the right to shelter, is not clearly provided for in law. This gap became glaringly evident this year. MLRC worked on all of this in 2014.

In 2014, MLRC advised and represented over 710 people. We had 60 open files, where we legally represented people in a more intensive way than through legal advice alone. We advised over 50 organisations including Crossare, Ruhama, Dublin Simon and Focus Ireland. We gave six half day training sessions in housing and related social welfare law to staff and volunteers of organisations working in the field of homelessness, including Life Pregnancy Care and Merchant's Quay Ireland. We advocated, and continue to strongly advocate, for the right to housing.

We worked closely and collaboratively with organisations working in the area of homelessness, human rights organisations and lawyers, to identify the recurring, important issues that face those who are homeless or at risk of homelessness to inform the test cases that we take and the policy issues that we work to tackle. Among these issues are the serious and urgent difficulty for people in accessing emergency accommodation, and accessing emergency accommodation that is appropriate and of a decent standard that does not undermine the dignity and integrity of the person, the grave inadequacy of rent supplement, and the lack of State support services for people in poverty, homeless or at serious risk of homelessness, who have mental health issues. Through our befriending service, we linked volunteer Befrienders with these most vulnerable clients.

We did this to achieve what MLRC works to do: to use the law to unlock those doors that would otherwise be firmly shut for the people we are here to help. We work to use the law in the most acute and distressing situations where using the law or meeting a solicitor would be otherwise totally impossible or unthinkable. That is the space we work in. We give a way of challenging the local authority or State body on unfair or illegal decisions, in accessing basic social welfare and housing entitlements wrongly denied. We work to help people by using the law climb the walls to accessing those entitlements, those entitlements that should be accessible with dignity.

We are building on this work. In particular we are working to help families who are homeless, in new ways beyond our clinics. Key to MLRC's work is collaboration with organisations working in the field of homelessness. We are developing our closer work with organisations in the field through focus groups and training to ensure we are responding to the urgent needs and developing our policy work in a grounded and practical way. We are developing our training programme to build greater awareness of housing law and social welfare rights and entitlements among organisations who encounter these issues. We have so often heard from attendees at our training sessions, "we didn't know you could challenge the decision". That is what MLRC does. We use the law to climb the walls so that people at the very brink can access their legal entitlements with dignity.

I would like to thank most sincerely the Chairperson and Board of Directors of MLRC whose wise advice, support and guidance ensures the steady development of the work of the Centre with a clear focus on compassion in every way.

MLRC benefits greatly in its work from the generosity of our volunteers, our volunteer

Administrator, volunteer Solicitor, our volunteer Befrienders and our interns. They add tremendously to the work done by the Centre and we are very grateful to them.

I would also like to take this opportunity to thank most gratefully the staff of MLRC, who work every day with enthusiasm, clear energy, commitment and real and quiet care for the people MLRC is here to help, those on the very margins of our society.

We thank most sincerely our funders and those who have given to MLRC. This work is possible because of this support. We are deeply grateful.

We look forward in 2015 to building on our work - using the law to help people who are in the most distressing of situations, homeless or facing homelessness. Thank you for your interest in and support for this work.



Maeve Regan, *Managing Solicitor*,  
*Mercy Law Resource Centre, May 2015*



## ABOUT MERCY LAW RESOURCE CENTRE

### Mission Statement

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**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.**

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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.

MLRC provides five key services:

1. Free legal advice clinics.
2. Legal representation in the areas of housing and social welfare law.
3. Legal support and training to organisations working in the field of homelessness.
4. Policy work.
5. Befriending service.

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.

### 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 which our client group often experience, i.e. other legal and non-legal issues. A further issue is that of a difficulty in accessing legal help. 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, not simply financially, but often emotionally and logistically to access legal help.

### 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, e.g. through clinics in homeless hostels, and centres linked to organisations working in the field of homelessness. MLRC works closely with organisations working in the field of homelessness, including Crosscare, Dublin Simon, De Paul, Merchants Quay Ireland and Focus Ireland, to provide legal support to assist their clients. Through our befriending service, our volunteer befrienders accompany and provide steady support for clients as they navigate their way through the difficult time of asserting their legal entitlements.

### MLRC'S ETHOS

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**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.**

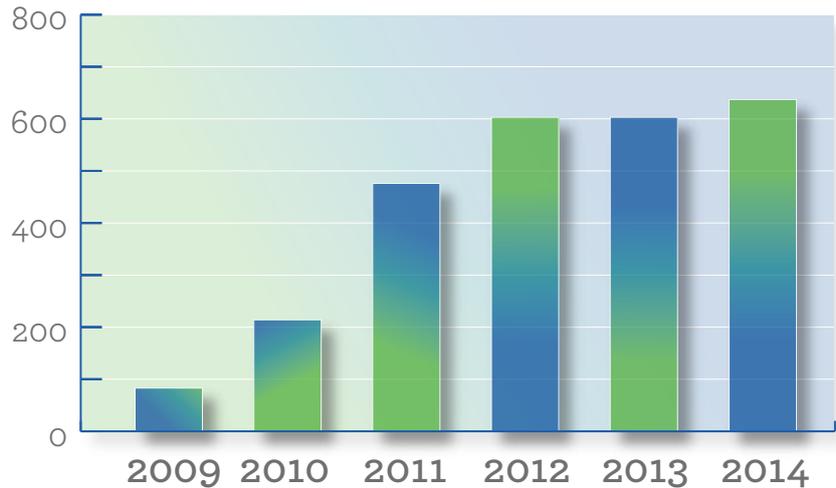
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## FREE LEGAL ADVICE AND REPRESENTATION

Since our inception in 2009, MLRC has provided advice and/or court representation to approximately 3050 individuals, families and organisations. In 2014, MLRC advised over 50 organisations and/or their clients, including Dublin Simon, Focus Ireland, FLAC, Crosscare, Ruhama, Saoirse Women's Refuge and Merchants Quay Ireland.

In 2014 we provided advice and/or court/tribunal representation to approximately 712 clients. This resulted in clients realising rights and entitlements that they would otherwise have been denied.

### MLRC Legal Advice and Representation



### What clients have said about MLRC

“ I found [the MLRC solicitor] very helpful, she was just brilliant. We were getting nowhere with the Council until [the MLRC solicitor] got onto them. The chap was so ignorant to me on the phone I was afraid to speak, so [the MLRC solicitor] did all the talking for us and got us on the housing list for a three bedroom. For nine years we were being told the same thing – that we were only entitled to a one bed because our children lived with my mum, but we needed a home so that we could get the kids back. We are still waiting for a three bed house in the area the children go to school, but at least now we are entitled to a three bed house for all of us because [the MLRC solicitor] got all the letters from the social workers and explained everything to the Council. ”

“ It all started four years ago, I had a lot of problems with my house but the Council wouldn't help me out. I got no help for two years and the house was in bits. I was working in Joseph's Dinner House and [they] put me in touch with Mercy Law Resource Centre and I met [the MLRC solicitor]... I told [the MLRC solicitor] my house was only a new house but had been flooded three times, there was terrible dampness and my stuff was ruined. [The MLRC solicitor] took on my case and said she would do everything to help me. For two years she fought my case and she kept on fighting until everything was sorted. I fought for two years on my own and then [the MLRC solicitor] fought for another two years for me. After [the MLRC solicitor] took on my case, when I had a problem with the house [the MLRC solicitor] got onto the Council and they came out to me straight away. [The MLRC solicitor] changed my whole life. The heating hadn't been working and now it is. The bathroom kept flooding all the time, now I have a new bathroom. I had depression during all this, but my life is changed completely now. [The MLRC solicitor] rang me every week and kept reassuring me it would all be sorted and that we would win in the end. Only for [the MLRC solicitor] I don't know where I would be. My house is now warm and cosy and now it is like home. ”

## LEGAL ADVICE

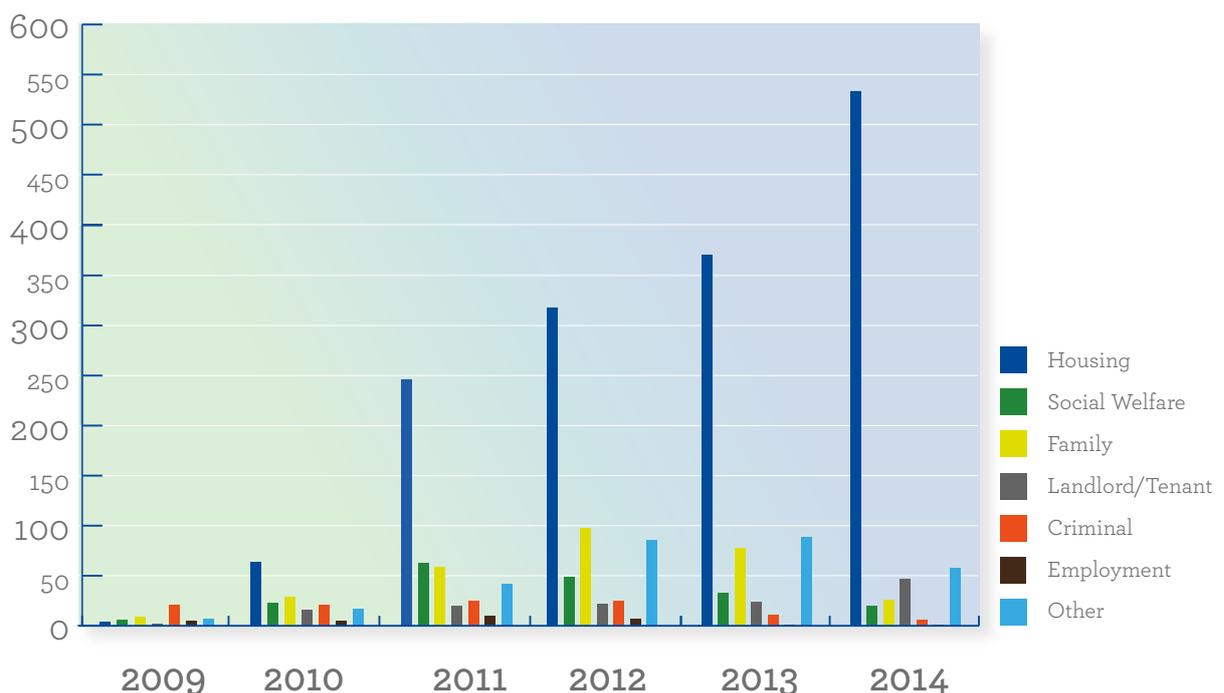
MLRC holds free legal advice clinics in homeless hostels and other centres for those who are homeless. Our clinics are staffed by qualified solicitors. The solicitors deal with all legal issues raised, predominantly housing law, related social welfare law and family law. The solicitors determine if a 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 2014 we opened a new clinic in Saoirse Women's Refuge in Tallaght. We now hold six free legal advice clinics:

- Crosscare, Haven House (every second Tuesday)
- 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)

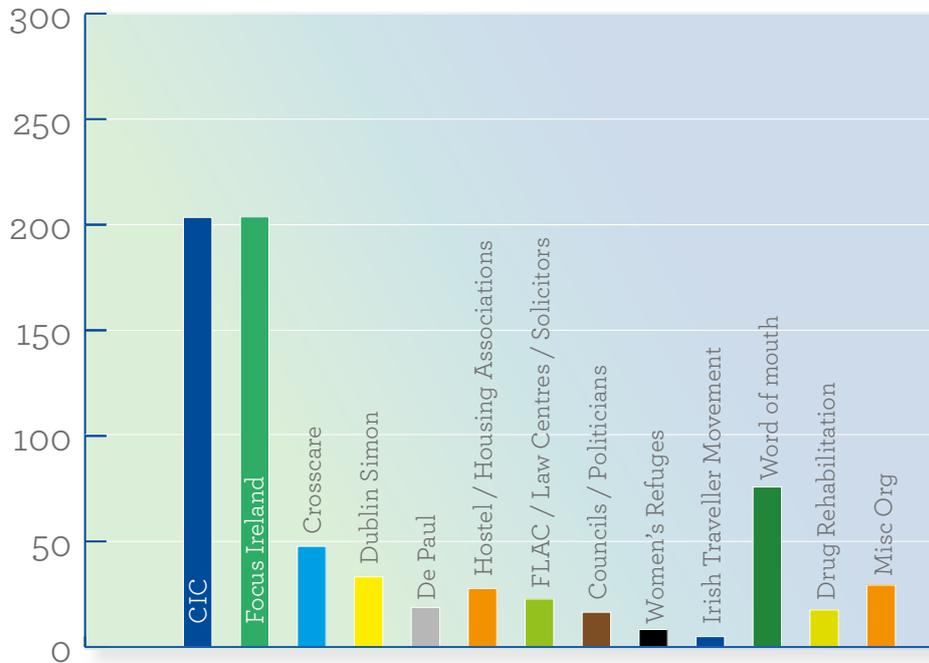
“ I had a problem with the County Council, I am a European National but I never worked in Ireland, only my husband worked in Ireland. Two years ago I started to separate from my husband, but the Council would not put me on their housing list because they said I hadn't work in Ireland during the last 52 weeks. I was told I had a choice either to go back to my husband or get work, neither was an option for me. I didn't know what to do. I went to Citizens Information and they put me in touch with Mercy Law Resource Centre. [The MLRC solicitor] was my last chance and she helped me get sorted and now I have rent allowance. I am very happy. ”

## Types of queries advised on



Clients are referred to us by organisations working in the field of homelessness. We meet our clients initially at one of our free legal advice clinics.

### How clients and queries were referred to MLRC in 2014



Total client cases & queries in 2014 = 712

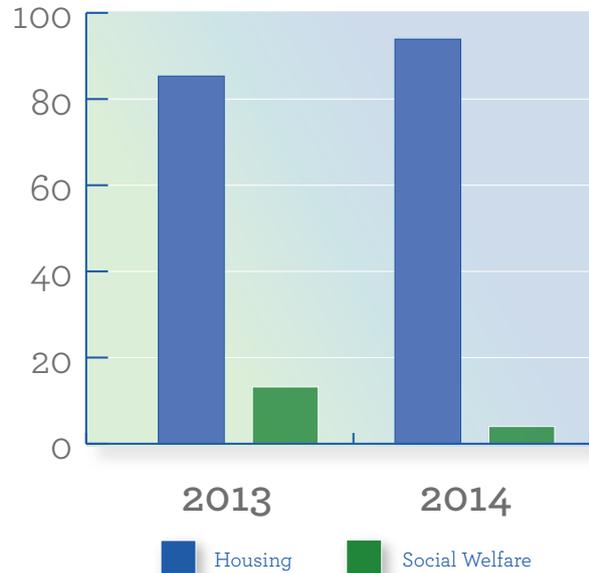
### In 2014, the following organisations referred clients to MLRC and consulted MLRC for legal advice:

|                              |  |                                     |
|------------------------------|--|-------------------------------------|
| Anna Liffey Project          | Crosscare Haven House                    | Law Centre, NUIG                    |
| Ballymun Law Centre          | Crosscare Information & Advocacy Service | Local/National Politicians          |
| Ballymun Primary Care Centre | Crosscare Amiens Street                  | Mater Hospital                      |
| Barnardos                    | De Paul                                  | Merchants Quay                      |
| CIC Balbriggan               | Dolphin Alliance                         | National Advocacy Service           |
| CIC Bluebell                 | Drugs Rehab Board                        | Community Law and Mediation         |
| CIC Clondalkin               | Dublin City Council                      | Ruhama                              |
| CIC Cork                     | Dublin Region Housing Executive          | Saoirse Women's Refuge              |
| CIC Crumlin                  | Dublin Simon Community                   | SDCC                                |
| CIC Donegal                  | FLAC                                     | Simon Sli Team                      |
| CIC Dublin Northwest         | Focus Ireland                            | Sophia Housing                      |
| CIC East Wall                | Peter McVerry                            | St Michael's Family Resource Centre |
| CIC Galway                   | Granby Hostel                            | Teach Mhuire                        |
| CIC Navan                    | Hail Housing                             | Threshold                           |
| CIC O'Connell Street         | HSE                                      | Trinity Court                       |
| CIC Tallaght                 | Immigrant Council of Ireland             | Whitefriar Street Tenancy Solutions |
| Coolmine Theapeutic Centre   | Irish Traveller Movement                 |                                     |

## LEGAL REPRESENTATION

In 2014 MLRC had a total of 60 open client files (31 new files and 29 carried over from previous years). This involved more intensive advocacy than legal advice alone on behalf of the client and, in some situations, court/tribunal representation.

## Types of Client Cases %



## Case Studies

### CASE STUDY 1

#### Local authority allocates three bedroom accommodation for parents who were long term homeless.

Our clients and their key-worker presented at our office having had difficulties with the local authority in not allocating them a 3 bed property due to the fact that their children were not living with them on a full-time basis.

MLRC made representations on behalf of our clients, who were living in emergency accommodation on a long term basis. Our clients' children were residing on a voluntary basis with our clients' parents due to our clients' previous

issues with addiction. Our clients had overnight access with their children with the support of social workers, key workers etc. Unfortunately as their children were not in their care on a full-time basis the local authority would not allocate them a three bed property.

MLRC made representations on behalf of our clients together with the support of social workers, the clients' G.P. and key workers etc. and advocated on their behalf as to the reasons why this family should be allocated a three bed property. One of our main arguments was that if the family were allocated anything less than a three bed property it would severely restrict this family's reintegration.

The local authority considered our submissions and allocated three bed accommodation for this family. The family will also have the support of a key worker to sustain the tenancy with the local authority and work towards reintegrating the family with the return of the children to our clients on a full-time basis.



## CASE STUDY 2

**EU citizen, given entry onto housing list – local authority initially refused on basis that applicant did not have a record of having 52 weeks employment in Ireland – local authority overturned initial decision after submissions by MLRC for client.**

*“52 weeks rule” frequently incorrectly applied by local authorities.*

This decision is important as MLRC is aware, through clients and through discussion with organisations working in the field of homelessness, that non-nationals are very frequently being refused access to the housing list for this reason – that they do not have a record of 52 weeks employment in the State. This criterion of 52 weeks employment concerns the applicant’s right to reside in the State. While the applicant may not have a record of 52 weeks employment in the State, they may very well have a right to reside here based on other grounds. In this case, our client had a right to reside in the State as an EU citizen who is a family member of an EU citizen working in the State.

Our client, an EU national, had separated from her husband, also an EU national. She was living in private rented accommodation with her children. She has a right to reside in the State as an EU citizen who is a family member of an EU citizen working in the State. She made an application to be included on the local authority’s list for social housing support. The local authority refused and gave as the reason for the refusal that she could not provide evidence of *“having 52 weeks employment in the Republic of Ireland as she is a non-Irish citizen.*

MLRC made representations on our client’s behalf to the local authority.

The local authority reviewed our client’s application for social housing support and has now included her on its housing list. It also issued her with a housing needs assessment letter which enables her to make an application for rent supplement and continue to live in the private rented property in which she currently resides with her children.

## CASE STUDY 3

**Medical priority on the housing list – “vital need” awarded within medical priority.**

MLRC recently assisted a family with their application for medical priority with their local authority. Our client’s daughter had severe medical and care needs and while the local authority had granted them medical priority, it did not operate a point system in respect of housing applications including those awaiting accommodation on medical grounds.

MLRC made representations on behalf of our client noting the provisions of the Equal Status Acts as to the requirement of a housing authority to make reasonable adjustments and provide special treatment to service users and applicants with disabilities. This essentially means that the local authority must prioritise allocations according to urgency of need. In our representations, MLRC noted that the Equality Tribunal and the courts have made clear what is required in allocating accommodation to clients with disabilities. They have held that the authority must objectively assess their needs and use a procedure which takes full account of individual needs and prioritises applicants. While the local authority had considered the needs of the applicant before awarding medical priority, no further measures were taken to award appropriate priority in light of the severity of our client’s daughter’s condition and the urgency of her needs. MLRC made further representations to the local authority on our client’s behalf and sent on a medical report from our client’s daughter’s treating physician. In light of our submission and the medical information submitted, the local authority reviewed the medical priority and awarded the family “vital need” for housing as per our client’s daughter’s housing needs.

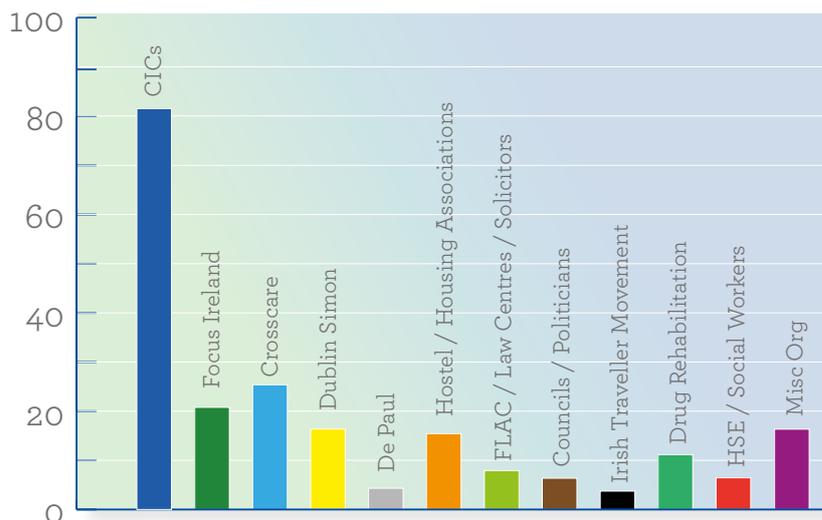
The family are now awaiting an offer of suitable accommodation from the local authority.

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

### Legal support to organisations working in the field of homelessness

MLRC provides legal support and training to organisations working in the field of homelessness. This can include legal input and support 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 support, advise or collaboratively approach with these organisations.

### Organisational Queries 2014



Total organisational queries in 2014 = 219

### What organisations have said about working with MLRC

#### Crosscare

Crosscare Information and Advocacy Services are composed of 3 projects: Housing & Welfare Information, the Migrant Project and the Refugee Service. Through working in partnership with Mercy Law Resource Centre we are able to identify and challenge breaches in the law. In situations where legal representation is required, we are fortunate enough to be able to make referrals to Mercy Law. Mercy Law also provides an important advisory role to our staff, which equips us with the necessary legal knowledge to challenge decisions in a timely and effective manner. This work continues to lead to successful outcomes for our clients. In 2014, some of these outcomes included the security of medical priority for housing; the prevention of homelessness and access to social housing support during periods of homelessness.

#### Liberties Citizens Information Centre

An increasing number of those presenting at the Liberties Information Centre are at risk of homelessness, or have experienced significant difficulties accessing social housing. We have worked with the Mercy Law Centre for a number of years now and their assistance, advice, and advocacy has been invaluable in ensuring positive outcomes in many of these cases. In addition, all of our staff here have benefited from the expert knowledge and training sessions conducted by the Mercy Law Centre, which has enhanced our ability to advise and advocate on social housing issues. We look forward to continuing our work with the Mercy Law Centre and wish them well for the year ahead.



“ Focus Ireland

Mercy Law solicitors run regular clinics for our customers. Their advice to both customers and staff is always practical and pragmatic and of tremendous assistance to our service. Having access to appropriate legal advice can significantly reduce stress for our customers, particularly when they face complex accommodation issues. Mercy Law are interested in the challenges our team encounters and endeavour to work with us in a complementary way. We look forward to building on this relationship.

“ Dublin Simon

Dublin Simon Community are greatly appreciative of the vital service provided by Mercy Law Centre. They offer invaluable knowledge and assistance to people who access our services and are extremely professional and dedicated. They provide an expertise that complements the services we provide and offer invaluable support and advice to people who are homeless or at risk of homelessness.

“ De Paul Backlane

The Mercy Law team are professional and compassionate in their service to our service users in Back Lane Hostel. They bring understanding and sensitivity in progressing housing and welfare issues with service users who may not otherwise normally avail of this service. Mercy Law have advocated strongly on behalf of vulnerable service users who have had difficulties in having their voice heard but with the assistance of Mercy Law now have more positive outcomes.

“ Saoirse Women’s Refuge, Tallaght, Dublin 24

Having the Mercy Law Centre fortnightly clinic at Saoirse Women’s Refuge has been a really positive resource for our clients over the past few months, as it provides additional support they otherwise may not have access to. Housing and social welfare issues are two of the main challenges a lot of our clients face. It has been a pleasure working with [the MLRC team] and we look forward to the future collaboration between our services.

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

Housing and related social welfare law can be complex and nuanced. Training in the law helps those working to support their clients to identify legal issues and when it may be appropriate to refer a person for legal advice. MLRC provides such training for organisations working in the field of homelessness. MLRC solicitors deliver the training. The training is designed to be interactive and responsive to the issues regularly encountered by attendees, and uses a combination of presentation on the law and discussion of case studies.

In 2014 MLRC held six training workshops in housing and related social welfare law. The training was given to staff and volunteers of:

- Merchants Quay Ireland;
- Life Pregnancy Care;
- Saoirse Women’s Refuge, Tallaght;
- Tallaght CIC;
- Liberties, Bluebell and Inchicore Citizens Information Centres; and
- Ruhama



MLRC training session

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

*“Very clearly delivered, perfectly brought back to the law and rights”*

*“Found this training very interesting and informative. Really enjoyed this training”*

*“Training was very helpful and of particular use, being able to go through case studies relevant to organisation”*



MLRC training session with Merchants Quay Ireland staff and volunteers



*Housing Advocacy network meeting NUI Galway*

## POLICY WORK

MLRC recognises that resolving many of the issues faced by those who are homeless or at risk of homelessness and those at the margins of our society requires policy change. To achieve practice and policy change that helps those at the margins of our society, case work and policy work go hand in hand. Our advice clinics, case work, focus groups and roundtables inform the test cases that we take and the policy issues that we tackle.

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

- MLRC holds regular **focus groups** with organisations working in the field of homelessness, and is developing this model in 2015. The focus groups are very important in terms of learning what the issues are on the ground and providing advice, information and education to the organisations on the issues which they are coming across. In 2014, MLRC also held specialist focus groups on the new housing assistance payment and on the issue of families and homelessness.

- MLRC holds **roundtables on particularly complex and pressing issues**. In 2014 MLRC held a roundtable on the frequent practice of the local authorities of refusing applicants entry on to the housing list as they did not have a record of 52 weeks employment in the State. The roundtable was attended by representatives from Crosscare, De Paul, Focus Ireland, Ballymun Community Law Centre, PILA and the Immigrant Council of Ireland Law Centre. It enabled MLRC and the organisations advocate more effectively in such cases for clients to deal with such unlawful decisions.

### Housing groups

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, the Irish Traveller Movement Law Centre and Ballymun Community Law Centre.

MLRC meets regularly with the housing lawyers in the independent law centres - from Community Law and Mediation Northside and Limerick, Ballymun Community Law Centre, and the Irish Traveller Movement Law Centre. This informal network discusses case work and policy work to identify current issues and areas of useful policy collaboration.

### The Economic Social and Cultural Rights Initiative

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.

### The right to housing

The right to housing is currently not protected in our Constitution nor in legislation. The right to housing is one that is within the category, as recognised in international human rights law, of economic, social and cultural rights. Making the right to housing enforceable in Irish law would place a fundamentally important basic right in place for those who are homeless or at risk of homelessness.

Currently, for example, families presenting to local authorities as homeless do not have a clear basic legal entitlement to be housed, even on an emergency basis. The right to housing would place the obligation on the State to, at the very least, provide such basic shelter and protection.



*ESC Rights Initiative call for incorporation of ESC rights into the Constitution*

MLRC is advocating for the right to housing to be made part of our law, to place this important floor of protection in place for people facing homelessness.

MLRC submitted the following policy papers in 2014:

- Open letter to the Taoiseach, calling on the Government, as part of the Economic Social and Cultural Rights Initiative, to accept the Constitutional Convention's recommendation to strengthen the protection by the Constitution of Economic Social and Cultural Rights, dated 26 September 2014
- Open letter to the Tánaiste, calling on the Government, as part of the Economic Social and Cultural Rights Initiative, to accept the Constitutional Convention's recommendation to strengthen the protection by the Constitution of Economic Social and Cultural Rights, dated 26 September 2014

### Other Policy Issues

MLRC is also working on other more particular policy issues which present great problems for people who are homeless or at risk of homelessness. Among those are:

- **Accessing emergency accommodation -** The difficulties people who are homeless face in accessing appropriate emergency accommodation due, for example, to the blanket application of the practice among local authorities of referring applicants to the local authority in which they last lived for 52 weeks. This presents particular issues for, among others, those who are homeless due to family relationship breakdown, who have moved to a local authority area where they have other supports of some kind;
- **Conditions in emergency accommodation -** The standards of emergency accommodation for people who are homeless, which are frequently



*MLRC at FLAC roundtable with Bryan Stephenson, founder and Executive Director of the Equal Justice Initiative*

deeply inappropriate. For example, families are often housed in one bedroom in hotels and B&Bs, with no cooking facilities and long distances from the children's schools. This arrangement may go on for a prolonged period, often for a year or more.

- **The inadequacy of rent supplement, and the new Housing Assistance Payment -** In terms of the levels of rent supplement, which are set substantially lower than market rent and the entitlement of landlords to refuse to accept rent supplement. With a gaping lack of social housing available, the vast majority of people on the housing list will wait many years to be given social housing. Once on the housing list, they can access rent supplement to rent private accommodation. However, it is often almost impossible to source private rented accommodation as an applicant with rent supplement.
- **Lack of State supports for those in poverty with mental health issues -** Our clients, who are homeless or at risk of homelessness, along with being very distressed and in urgent need of stable accommodation, are often highly vulnerable and with mental health issues. The State provides little or no supports for such people. This is a major issue. 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.

## BEFRIENDING SERVICE

MLRC recognises that the legal system can be alienating and frustrating to negotiate. We aim to provide our clients with a service that is friendly and easy to access. Through MLRC's Befriending Service, volunteer Befrienders befriend clients, who are particularly without supports, in order to accompany them through the difficult process of trying to assert their rights. The Befriender's role may entail such activities as helping the individual to fill in forms, accompanying her/him to court, helping her/him to turn up to appointments etc. Training is provided to all volunteers who also have the support of regular group meetings where peer support is provided.



### Befriender's Story

I came to Ireland in 2001. I had a very good job but unfortunately it closed down in 2008 and I lost my job. I have 2 boys and I also need to support my mother, she is 70 years of age and when my father died she had a lot of health problems.

My eldest son unfortunately suffers from mental illness and we had a lot of problems during the years. I would like to say special 'thank you' to Mercy Law organisation and especially to Sr. Caitriona and my Befriender, because they helped us a lot during the years and even at the moment they give us great support and help. They are the people who worked very hard to solve our problems. Three times we became homeless and they helped me to find a house and also to find a way to pay the deposit. They give me very good advice and help me to make the right decisions. They give me the right information and they are always open to help me.



### Befriender's Story

It is now two years since I began to befriend a woman from Eastern Europe, a single mother with two children who also had to look after an ageing mother. During that time she has been in much need of support. Financial problems, difficulties in getting suitable accommodation, attending to the medical requirements of a regularly ill child and her only somewhat mobile mother, together with the demands imposed by her job as a nursing home care assistant have left her with neither time or money to socialise. She requires someone with whom to discuss how to improve her situation and in this regard I try to help.

During my time with the befriender, our regular phone conversations and then meetings in the company of one of the Mercy Law staff have helped to bring about some improvement in her situation, which is some reward for me and an encouragement to keep going in the face of so many obstacles. I have also benefitted from seeing how determined the befriender is to work hard for, and otherwise help those dependent on her - I like to think that I learn from this attitude and so now think more of the interests of others.

It must be very difficult for immigrants on their arrival in a new country to make friends of such a nature as will assist them to overcome demanding day to day living problems. There is very much a need for the befriending service that Mercy Law provides - it is quietly satisfying to be part of a clearly efficient and effective service.

## 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 2014, MLRC had four staff members: Maeve Regan, Managing Solicitor, Sabrina Comerford, Solicitor, Shauna Curran, Administrator and Denise Fitzgerald, Legal Secretary.



Maeve Regan  
*Managing Solicitor*



Sabrina Comerford,  
*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*



#### Legal

Geraldine Hynes,  
*Volunteer Solicitor*

#### Befrienders

John Curran, Colette Kelly, Orla O'Connell, Mary O'Farrell, Jo Kenny, Brid Sheehan, Keri Goodliffe, Michael Liddy, Fiona Murray, Nuala Kennedy

### COMMUNICATIONS

In 2014, 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, with 27 posted in 2014. MLRC maintains an active social media presence on Twitter (@MLRCLaw) and Facebook (Mercy Law Resource Centre).

The e-zine and social media outlets have shown themselves to be good 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). In 2015, MLRC will continue to develop the e-zine as a source of news in relation to housing law and related social welfare law.

## INTERNSHIP PROGRAMME

MLRC was delighted to have continued in 2014 our internship programme with Mason Hayes & Curran solicitors. In 2014, MLRC welcomed Mason Hayes &

Curran trainee solicitors Bláithín Ní Chróinín and Rosalind Deane, who worked with the Centre one day a week.

### Bláithín Ní Chróinín of Mason Hayes & Curran on her work with MLRC



*I had the pleasure of being seconded to MLRC as part of my traineeship at Mason Hayes & Curran solicitors.*

I, like many others, had regularly read, with dismay, articles in the daily press about those who struggled to find accommodation in the Irish capital. In hindsight, I had probably become somewhat immune to such stories, accepting them as yet another troubling legacy of recession Ireland. With this mind-set, I commenced my internship in MLRC.

What first struck me about MLRC was the human element of the work. At MLRC, every client is treated with dignity, respect and the upmost professionalism. I soon learnt that behind every statistic quoted on the morning news, is an individual, struggling in the Ireland of today, to secure one of the most fundamental human rights for themselves and their families.

As lawyers, many of us often get so tangled up in the corporate world, that we forget the immense changes we are capable of making on a human level. This is what struck me the most about working in MLRC. Each client of MLRC is cherished as a distinct human being. More often than not, MLRC staff members are acutely aware of the various struggles each client has already faced in his or her life. It struck me how, so very often, what clients needed most was someone to act as their voice, to be able to articulate their challenges and their needs and most importantly, their rights. MLRC provides this voice.

As has been displayed in many of the cases taken by MLRC, each client has particular needs which ultimately impact on the type of housing he or she requires. My experience at MLRC taught me that the issue of housing is complex and that one size does not fit all. I learnt that many people live in houses unsuitable for their particular needs, due, for example, to local anti-social behaviour or a lack of familial support in the area. MLRC strives to find not just a house, but a home for these clients where their needs are more adequately catered for.

Another aspect of MLRC's work is lobbying for policy change. MLRC, along with other charities and NGOs, provides a strong, articulate voice lobbying for those who would be otherwise unheard. In the current economic climate, change comes very slowly. However, without these necessary policy and legislative changes at a higher level, MLRC's daily work will become ever more challenging.

I learnt that lobbying for policy change is no easy task. It requires diligence and an ability to keep abreast of an ever changing political and socio-economic landscape. These are challenges which the staff of MLRC take in their stride, in the never ending hope of creating a fairer and more just society.

I will always look back on the time I spent in MLRC as one of the highlights of my traineeship. I still love to return to visit the MLRC team and find their warmth and positivity infectious. I would like to thank Mason Hayes & Curran for giving me the wonderful opportunity to gain a very different insight into the law in practice, and to all at Mercy Law, thank you for a life changing experience agus bail ó Dhia ar an obair.”

MLRC also welcomed interns Mary Ann Sullivan, Clinical Legal Education student, NUI Galway, Ellen Reid, Clinical Legal Education student, University College Dublin, Gary Hansell, law student, Trinity College Dublin, Paul Behan, Clinical Legal Education student, Trinity College Dublin and Caoimhe Stafford, law student, Trinity College Dublin.



Paul Behan, Clinical Legal Education student, Trinity College Dublin, interned with MLRC during the autumn of 2014



At Mercy, I never felt like an intern. Every day I had real work to do, work that made me feel like a real valued member of the team, and each day I learned more through those work hours than I did in ten times as many hours in a lecture hall. The work done at Mercy makes an incredible difference in client's lives and it was an absolute privilege to witness it first hand.



## 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)
- 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 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. MLRC expects to have adopted the Code in full by December 2015.

### The Directors of the MLRC Board are:

**Helena O’Donoghue (Chairperson)** - Mercy Sister and Director, Sophia Housing;

**Anne Doyle** - Mercy Sister;

**Niall Farrell** - Solicitor, PJF Solicitors, Newbridge, Co. Kildare;

**Jo Kennedy** - Mercy Sister, Family Therapist and Director of Women’s Therapy Centre;

**Ciara McGrath** - Project Leader, Crosscare;

**Deirdre Quigley** - Deputy Project Director, Mater Campus Hospital Development - Senior Project Manager, MCO Projects;

**Margaret Roche** - Chairwoman, 103.2 Dublin City FM;

**Patrick Stagg** - Development Manager, Bluebell & Dublin 8 Citizens Information Centre;

**Liam Twohig** - Accountant, Baker Tilly Ryan & Glennon;

**Gerry Whyte** - Professor of Law, Trinity College and Director of Kenya Orphan Aid.



*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 on MLRC Board of Directors, appointed November 2014*

## FINANCE

### Cost of our service

The cost of running MLRC in 2014 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 2014, we received some €107,000 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 administrator
- 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
  - 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.



*Some of MLRC staff and volunteers, past and present, together with the Chairperson of the MLRC Board of Directors*

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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.

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### Contributions and donations

We gratefully received grants and donations ranging from €50 up to €80,000. Among those who contributed were:

- Sisters of Mercy
- Mason Hayes & Curran
- Sisters of Our Lady of Charity Ireland Trust Fund
- Dublin City Council Community Grant
- Golden Jubilarians



### Friends of MLRC

To support MLRC 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) and enter your details. Donations are made through PayPal.

**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. For further details please contact our office.

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 [shauna@mercylaw.ie](mailto:shauna@mercylaw.ie), or call the MLRC office on 01 4537459, or visit [www.mercylaw.ie](http://www.mercylaw.ie).

## FUNDERS

MLRC would like to acknowledge and thank the generous support from our funders, who are a combination of corporate and philanthropic organisations and individuals acting in their private capacity. Among those are:



Sisters of Mercy



Mason Hayes  
& Curran



Dublin City Council  
Community Grant

Golden Jubilarians

Sisters of Our Lady of Charity Ireland Trust Fund



## FUNDRAISING EVENTS

On 1 April 2014, MLRC held a fundraiser the - April Fool's Day Comedy Gala. This light-filled night proved to be very successful and will be an annual MLRC event. The show was produced and hosted by Jarlath Regan, comedian. MLRC is most grateful to Jarlath Regan, and the comedians who performed on the night John Colleary, Colm O'Regan and Foil Arms and Hog. All of these artists did this work completely for free. Thanks to them, and all who supported the show, the event raised over €2500 for MLRC.

## 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 B.L.

Alan DP Brady B.L.

Derek Shortall B.L.

Eugene Hill B.L.

Michael P. O'Higgins S.C.

Olwyn Bennett B.L.

Conor Dignam S.C.

Eoin Coffey B.L.

Kevin Baneham B.L.

Siobhan Phelan B.L.

Michael Lynn S.C.

Mark de Blacam S.C.

Feichin McDonagh S.C.

Brian Barrington B.L.

Brian Foley B.L.

David Leonard B.L.

Eilis Barry B.L.

Michael Dillon B.L.

Neil Maddox B.L.

Theresa Blake B.L.

Cormac O'Dúlacháin S.C.

Mel Christle S.C.

Claire Bruton B.L.

Conor Power B.L.

Oran Doyle B.L.

Anne Marie Maher B.L.

Una Cassidy B.L.

Sunniva McDonagh S.C.

Suzanne Kingston B.L.

John Finlay S.C.

Martin Giblin S.C.

### Auditor

Natalie Kelly, Anne Brady McQuillans DFK

Fiona Britton , Anne Brady McQuillans DFK

### Legal Cost Accountant

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

### Accountancy Services

Donal Ryan & Associates

### Fundraiser – Comedy Gala

Producer and host: Jarlath Regan

Comedians:

John Colleary

Foil Arms and Hog - Sean Finnegan,

Conor McKenna and Sean Flanagan

Colm O'Regan

### Volunteers:

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

Volunteer Solicitor: Geraldine Hynes

Volunteer Befrienders

Volunteer Interns: Paul Behan, Bláithín Ní Chróinín, Rosalind Deane, Gary Hansell, Ellen Reid, Caoimhe Stafford, Mary Ann Sullivan



## 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 2013 to 30  
April 2014.

### Extracted from Audited Accounts for the financial year 1 May 2013 to 30 April 2014

| Income and Expenditure Account for the<br>financial year 1 May 2013 to 30 April 2014 | 2014<br>€ | 2013<br>€ |
|--|-----------|-----------|
| Income (Donations)   | 311,545   | 149,211   |
| Expenditure (Salaries/admin)   | (209,401) | (187,041) |
| (Deficit)/surplus on ordinary<br>activities before interest                          | 102,144   | (37,830)  |
| Interest payable and similar charges   | -         | (6)       |
| Surplus/(Deficit) for the year   | 102,144   | (37,836)  |

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 19 November 2014  
and signed on its behalf by



Helena O'Donoghue  
*Director*



Patrick Stagg  
*Director*

| Balance Sheet as at 30 April 2014                     | 2014<br>€             | 2013<br>€            |
|---|-----------------------|----------------------|
| <b>Fixed Assets</b>                                   |                       |                      |
| Tangible assets                                       | <u>7,129</u>          | <u>6,948</u>         |
| <b>Current Assets</b>                                 |                       |                      |
| Debtors   | 4,096                 | 3,619                |
| Cash at bank and in hand                              | <u>169,387</u>        | <u>62,835</u>        |
|   | 173,483               | 66,454               |
| <b>Creditors: Amounts falling due within one year</b> | <u>(11,448)</u>       | <u>(6,382)</u>       |
| <b>Net Current Assets</b>                             | <u>162,035</u>        | <u>60,072</u>        |
| <b>Total Assets less Current Liabilities</b>          | <u><u>169,164</u></u> | <u><u>67,020</u></u> |
| <b>Reserves</b>                                       |                       |                      |
| Income and expenditure account                        | <u>169,164</u>        | <u>67,020</u>        |
| Members' Funds  | <u><u>169,164</u></u> | <u><u>67,020</u></u> |

Approved by the Board on 19 November 2014  
and signed on its behalf by

Helena O'Donoghue  
Director

Patrick Stagg  
Director

**Mercy Law Resource Centre**

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T 01 453 7459 F 01 453 7455

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

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