



**Mercy Law**  
Resource Centre

# MAKING FREE LEGAL AND ADVOCACY SERVICES ACCESSIBLE -

Building a hybrid service delivery model for  
Mercy Law Resource Centre



FACILITATED BY

**Community  
Foundation  
Ireland**



**Mercy Law**  
Resource Centre

## About Mercy Law

Mercy Law Resource Centre (MLRC) 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 for change in laws, policies and attitudes which unduly and adversely impact people who are at the margins of our society.

Our five core services are free legal advice; legal representation; legal support and training to organisations and professionals; policy work; volunteer befriending service.

MLRC is committed to the principles of human rights, social justice and equality. Partnership and working in collaboration with others is at the heart of our approach and MLRC has built strong working relationships with organisations and professionals working in the field of homelessness and housing.

MLRC's vision is of a society where each individual lives in dignity and enjoys equal rights, in particular the right to a home, and where every individual enjoys equal access to justice to vindicate those rights.

Our thanks to the Community Foundation for Ireland for funding this important project and report, which aims to make our service more inclusive and accessible.

FACILITATED BY

**Community  
Foundation  
Ireland**

# Introduction

MLRC's clients are local authority tenants, people who are homeless or at risk of becoming homeless and people in receipt of social housing support. They include people trying to move away from homelessness while struggling with intersectional issues such as poverty, relationship breakdown, addiction, leaving prison, mental illness, disability and domestic violence. Our clients are individuals with their own wishes, needs and requirements.

For free legal and advocacy services such as MLRC to best serve our clients, we need to be truly accessible to them. The design of our services must not present further obstacles to people seeking to vindicate their rights. Clients must be able to both find out about the service and to meaningfully access it.

This report presents the findings of a project undertaken by MLRC to examine the accessibility of our service. In common with other free legal advice and advocacy services, MLRC shifted rapidly to a remote service during the Covid-19 pandemic. This project was designed to ensure that we took the opportunity presented by this disruption to design a better model going forward, rather than just returning to 'business as usual'. The goal was to maximise ease-of-use for our clients when relaunching face-to-face services while retaining the benefits of remote service options.

This project focused on access issues for clients when engaging with a free legal or advocacy service. It did not address broader barriers that may prevent clients from interacting with these services at all. These include the barriers identified in the Pringle Report<sup>1</sup> such as clients being unaware of the relevance of the law to their situation and being intimidated by the legal process, and further issues such as service capacity to take on clients and gaps in provision for specific legal needs.

We hope this report will be of assistance to other free legal and advocacy services in improving overall accessibility in the sector.

## Methodology

The first stage of this project was to identify the accessibility challenges faced by people engaging with free legal and advocacy services. This research stage followed a three-step process:



Review of published research on accessibility relevant to these service types



Internal review of MLRC casework and client experiences



Consultation through informal interviews and a targeted survey of free legal and advocacy services

Three main themes were identified as limiting the accessibility of free legal and advocacy services. The research findings were then analysed to identify practical measures to mitigate these obstacles.

## Accessibility themes at a glance

Reliance on written communication and complexity of documents

Language barriers

Accessibility of appointments (including digital exclusion) / means of service delivery

<sup>1</sup> Committee on Civil Legal Aid and Advice (1977) Report to the Minister for Justice (Pringle Report)



# MLRC's approach to accessibility

MLRC has prioritised offering a truly accessible service since its establishment in 2009. In the past, this has primarily been done by operating in-person clinics in familiar locations for our clients, such as homeless hostels and Citizens Information Centres. This was complemented by working in partnership with other professionals, such as social workers, and support organisations to ensure clients received holistic supports. MLRC also operated a befriending programme to pair clients with volunteers who could provide emotional and social support as they go through the challenging process of asserting their rights.

## Developments during the Covid-19 pandemic

These established pathways were rapidly curtailed during the Covid-19 pandemic; face-to-face clinics closed, the befriending programme paused, and partner organisations were forced to restrict their own services. MLRC is proud that we continued to operate our service uninterrupted during this time, but this was achieved by transitioning to a fully remote operation. This meant that clients needed to become aware of and access MLRC via phone, email or video call, often without complementary supports that were previously available.

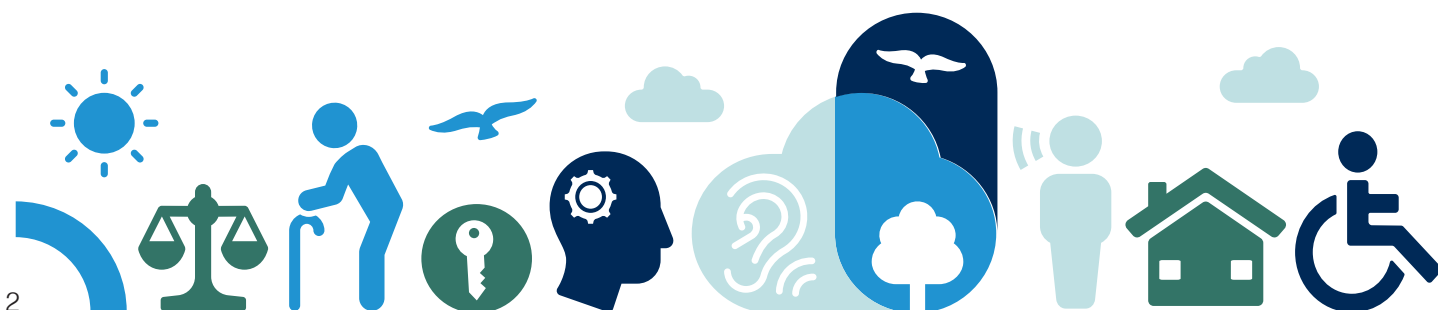
These events cast into sharp relief the accessibility challenges faced by those seeking access to free legal and advocacy services. On the other hand, the development of remote services improved accessibility for some cohorts. In particular, MLRC significantly increased reach to clients based outside Dublin. Ease-of-use also improved for those who struggled to travel to in-person appointments for reasons of disability, poverty, childcare, or otherwise.

## Limitations of remote service provision

MLRC observed a notable shift in the profile of clients accessing our service during this time. We received more direct contact from clients with good literacy, English language fluency, IT skills and access to phone and internet services. We received less contact from those who were more vulnerable and likely to face access challenges, such as rough sleepers. This may partly be attributed to the impact of pandemic measures on overall levels of homelessness<sup>i</sup>. However, MLRC became concerned that it was at least partially caused by remote services presenting additional barriers to access for vulnerable groups. We became concerned that the people most in need of our service risked falling between the cracks.

This experience is reflected in other organisations. Reporting on the impact of the transition to tele-services during the pandemic on people with disabilities, the Disability Federation of Ireland noted the higher prevalence of 'digital poverty' among people with disabilities<sup>ii</sup>, and that people with communication and co-ordination issues can struggle with virtual or phone services. For MLRC's client group, in 2020 the National Disability Authority reported that 27.1% of people who are homeless have a disability<sup>iii</sup>.

A review by the Simon Community on the response to Covid-19 in their services observed that online supports "*suit some people and it did not suit others*", with the lack of IT equipment access among certain groups reducing the effectiveness of online supports<sup>iv</sup>. A separate study by Merchants Quay Ireland reported on the particular difficulties faced by homeless people with mental health challenges in accessing remote services when they may not have access to internet or reliably charged phones<sup>v</sup>.



# Research findings and project recommendations

## Theme 1: Requirement for written communication and complexity of documents

The reliance of legal and advocacy services on written communication and the complexity of written documents was repeatedly identified as a barrier to clients accessing these services. The national Adult Literacy for Life Strategy published in 2021 by the Department of Further and Higher Education observes:

*“One of the barriers to making education and wider public services more accessible is the use of complex language, instructions and conditions that make application processes difficult to navigate<sup>vi</sup>.”*

The OECD Adult Skills Survey found that approximately 1 in 6 Irish adults are at or below level 1 on a five level literacy scale. The National Adult Literacy Agency (NALA) reports that at this level a person may be unable to understand basic written information<sup>vii</sup>. Within MLRC’s client group, literacy can present a particular challenge. Some studies suggest that literacy rates are disproportionately lower among people who are

homeless<sup>viii</sup> and among members of minority groups such as the Traveller Community<sup>ix</sup> who are more likely to face homelessness<sup>x</sup>.

In MLRC’s experience, the move to remote service provision exacerbated the impact of low literacy by increasing reliance on written communication and reducing opportunities for face-to-face meetings where complex documents could be explained.

Free legal and advocacy services often assist people who are struggling with these very issues in their dealings with public bodies. However, there is a risk that the support services themselves can present the same challenges for the client. This is a particular issue for legal services which are obliged to observe certain formalities and provide specific information to clients, for example under Section 150 of the Legal Services Regulation Act 2015.

The survey identified literacy and / or difficulty understanding complex documents as leading barriers to accessing free legal and advocacy services, ranked jointly with language barriers.



## Recommendations and mitigating steps

Staff and organisational awareness of accessibility generally is a key mitigation across all themes. Accordingly, resources and training on literacy and Plain English<sup>1</sup> standards will be rolled out to staff to embed awareness and Plain English principles in MLRC’s work.

MLRC utilises two main standard client-facing documents, (i) the Terms & Conditions and (ii) the Authority to Act form. Revising these documents to meet Plain English standards is an important step toward improving client access.

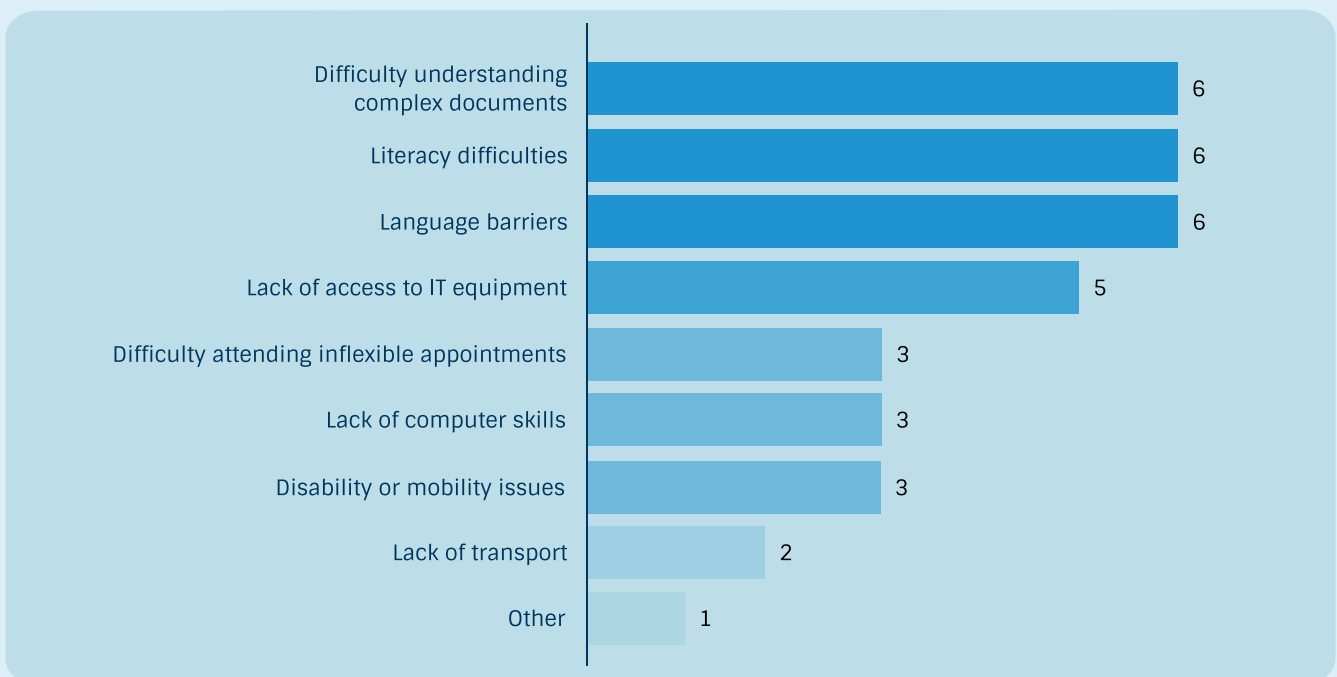
The Terms & Conditions document sets out how MLRC works with clients. It includes important matters including information regarding the treatment of legal costs for clients of independent law centres and professional

indemnity insurance limitations of liability. Given the complexity of the document, MLRC worked with NALA to obtain the NALA Plain English Mark for revised Terms & Conditions (Appendix A).

The Authority to Act form is a shorter document which is signed by the client confirming that they permit MLRC to act in their matter and includes certain data protection information. This document is of crucial importance both for MLRC’s internal compliance and for the client’s own understanding of the engagement. It is also provided to third parties as evidence of MLRC’s authority to engage with them regarding the client. We revised the Authority to Act form in-house in line with Plain English guidelines (Appendix B).

Further mitigations for clients with literacy challenges regarding appointments and means of service delivery are detailed under Theme 3.

### *When free legal advice and advocacy services are available, what do you understand to be the main barriers to your clients accessing them?*



#### Response to MLRC Survey 2022

<sup>1</sup>NALA define Plain English as a way of writing and presenting information that helps someone understand it the first time they read or hear it.





## Theme 2: Language barriers

Many of MLRC’s clients do not have English as a first language. As noted above, the survey identified language barriers as the joint leading obstacle to clients accessing free legal and advocacy services.

A 2017 review of Language and Migration in Ireland<sup>xi</sup> found that almost 45% of migrants expressed having difficulties in communicating with institutions in Ireland. The most effective accommodation for a client without English fluency is the availability of documents and services in their preferred language. Unfortunately, while translation services are available in some areas such as the criminal justice system, there are no generally available free translation services for free legal advice and advocacy services. Indeed, the availability of translation services for public services generally remains patchy and the quality of such services is highly variable<sup>xii</sup>. For a free legal service such as MLRC, full translation services in all languages cannot easily be provided at all stages of a client engagement.

## Recommendations and mitigating steps

Again, staff awareness is an important mitigation. Accordingly, staff will be trained to be mindful of language barriers and to make appropriate enquiries to ensure the client fully understands the engagement. Staff will be instructed to procure translation services where required. Where possible, MLRC will work in partnership with other organisations to obtain free or low-cost translations.

As noted under Theme 1 above, to aid communication generally MLRC sought to simplify key client-facing documents, the Terms & Conditions and Authority to Act Form, by applying Plain English standards. Additionally, MLRC has obtained certified translations of these documents in three languages common among the client group – Romanian, French and Arabic (Appendix C).

Applying the client’s preferred communication method was identified as an important measure to improving comprehension. This is addressed further under Theme 3.



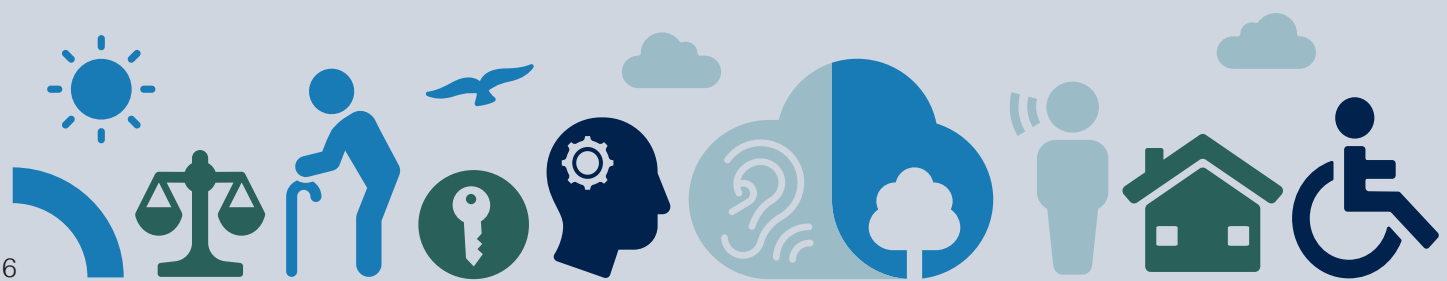
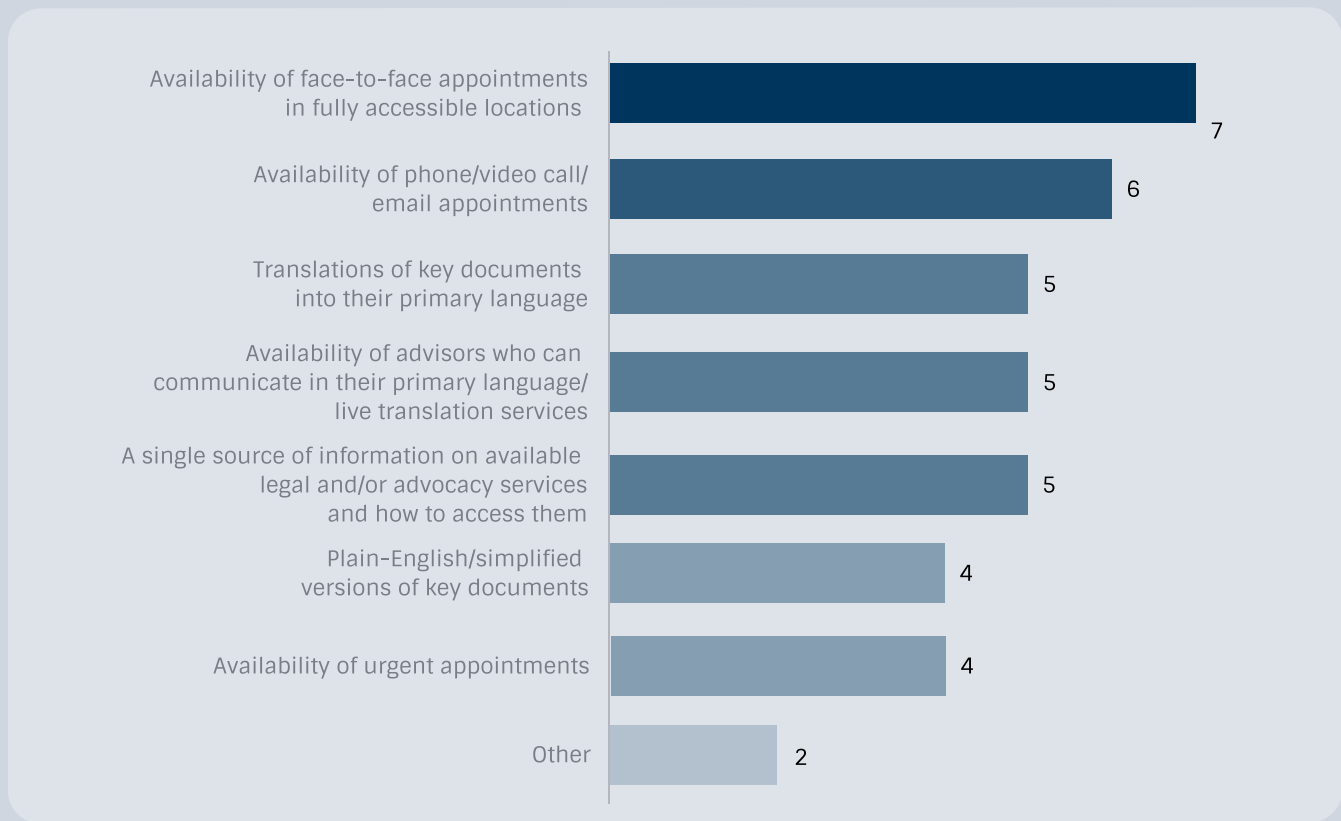
### Theme 3: Accessibility of appointments / means of service delivery

Free legal advice and advocacy services depend on engagement with clients to take instructions and provide advice. The means of service delivery to the client throughout the lifecycle of the engagement is pivotal to the overall ease-of-use and effectiveness of the service. It is also connected to the other obstacles discussed above. For example, clients with low literacy or lack of access to IT equipment or IT skills (IT poverty) may prefer to receive

services face-to-face. Alternatively, clients with language difficulties may find written communications which they can take time over more helpful.

The research concluded that no single type of appointment or means of service delivery could meet the diverse needs of every client. This was reflected in the survey, with a number of respondents observing that the appropriate appointment type may vary from client to client and at different stages of the engagement.

#### Which of these accommodations would most benefit your client group?





## Recommendations and mitigating steps

Given the variety of needs that clients may have, the critical step is for clients to be given real choice regarding their service delivery. In its guide to working with vulnerable clients, the Law Society of England and Wales notes the importance of finding out the communication preferences and service needs of clients<sup>xiii</sup>. In most cases the person best placed to identify the needs of the client is the client themselves.

To achieve this, staff will be given training on how to identify where clients have particular needs or vulnerabilities.

On initial contact clients will be asked for their preferred general form of contact – eg, letter, email, phone – and their preferred appointment type. If face-to-face is the preferred type, the client will be asked about any practical accessibility needs and appropriate arrangements made accordingly. Where MLRC cannot provide a room in our own office that meets those needs, we will liaise with partner organisations to secure a suitable venue.

Aside from the initial contact, training staff to identify client needs will bring a continuing focus on ensuring the client gets what they need from the service. In that context, providing key client information documents in Plain English and / or translated into a suitable language at the outset will be of benefit.

Further, renewed focus will be given to retaining the existing support measures used by MLRC such as working in partnership with other professionals, operating clinics in familiar locations and running the befriending service. These measures have proven to be effective supports for our clients for many years.



## Conclusion

The National Disability Authority Centre for Excellence in Universal Design<sup>xiv</sup> notes the challenges of achieving universal accessibility given the separate, though often overlapping and intersectional, accessibility challenges people may experience:

*“For each form and channel, there will be some users for whom it is not accessible. For example, people with sight loss, low literacy or reading disorders may find it difficult or impossible to read printed information. People who are deaf or hard of hearing will have difficulties with audible information or telephone conversations. Online information can be designed to be accessible to the widest audience but not everyone has access to the internet or email.”*

No single accommodation can ensure universal accessibility of free legal and advocacy services. What is required is a system of overlapping measures and organisational awareness to keep accessibility at the forefront. MLRC is implementing each of the measures identified in this report from January 2023, in particular:

MLRC will continue to review and improve the accessibility of our service on an on-going basis. Other measures which MLRC hopes to undertake in the future subject to funding include: conducting an accessibility review of our website; preparing information guides regarding our key services in Plain English standards; and expanding the range of language translations available for key documents.



Use of Plain English in key client information documents



Provision of translation of key documents and use of translation services where required



A flexible, hybrid approach to service delivery supported by trained staff that provides clients with real choice regarding how they receive the service



<sup>i</sup>National Oversight & Audit Committee (NOAC) Local Authority Performance Indicator Report 2020 <https://noac.ie/wp-content/uploads/2021/09/NOAC-Local-Authority-Performance-Indicator-Report-2020.pdf>

<sup>ii</sup>[dfi\\_submission\\_non-covid-19\\_healthcare\\_1.pdf](#) (disability-federation.ie)

<sup>iii</sup>National Disability Authority Housing & Disability Factsheet December 2020 <https://nda.ie/uploads/publications/nda-factsheet-5-housing.pdf>

<sup>iv</sup>Finnerty J., Cullinane M., and Buckley M. SUSTAINING THE ACCELERANT? The Responses of Simon Communities To Four Waves Of Covid-19. 2021 Ireland: University College Cork [https://www.simon.ie/wp-content/uploads/2021/09/Simon\\_Sustaining\\_the\\_Accelerant.pdf](https://www.simon.ie/wp-content/uploads/2021/09/Simon_Sustaining_the_Accelerant.pdf)

<sup>iv</sup>Kelly K, December 2020. The Effects of Covid-19 on People Experiencing Mental Ill-Health, Substance Use Disorder, and Homelessness or Housing Insecurity in the Dublin Region: A Qualitative Exploration. Dublin: Merchants Quay Ireland <https://mqi.ie/content/uploads/2021/02/Mental-Health-Report.pdf>

<sup>vii</sup>Adult Literacy for Life<sup>1</sup> - a 10-year adult literacy, numeracy and digital literacy strategy, page 47 <https://assets.gov.ie/197863/c6f1e81f-3f60-485d-9c55-e33cb85508bc.pdf>

<sup>viii</sup><https://www.nala.ie/literacy-and-numeracy-in-ireland/>

<sup>vii</sup>See for example: Dumoulin D., and Jones K., Why English and maths skills matter in tackling homelessness (England: St Mungo's Broadway) [https://www.mungos.org/app/uploads/2017/12/Reading\\_Counts\\_full.pdf](https://www.mungos.org/app/uploads/2017/12/Reading_Counts_full.pdf); Working it Out A Report on the barriers to employment faced by people who are homeless, 2012 (Ireland: Cork Simon Community) [https://www.drugsandalcohol.ie/18568/1/Working\\_It\\_Out\\_-\\_A\\_report\\_on\\_the\\_barriers\\_to\\_employment\\_faced\\_by\\_people\\_who\\_are\\_homeless\\_October\\_2012.pdf](https://www.drugsandalcohol.ie/18568/1/Working_It_Out_-_A_report_on_the_barriers_to_employment_faced_by_people_who_are_homeless_October_2012.pdf)

<sup>ix</sup>National Adult Literacy Agency Opening Statement to the Special Joint Committee on Key Issues affecting the Traveller Community, 3 December 2019 [https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint\\_committee\\_on\\_key\\_issues\\_affecting\\_the\\_traveller\\_community/submissions/2019/2019-12-03\\_opening-statement-inex-bailey-ceo-nala\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_key_issues_affecting_the_traveller_community/submissions/2019/2019-12-03_opening-statement-inex-bailey-ceo-nala_en.pdf)

<sup>x</sup>Grotti R, Russel H., Fahey E., and Maître B., 2018. Discrimination and Inequality in Housing in Ireland

<sup>xi</sup>O'Connor A., Ciribuco A. and Naughton A., 2017. Language and Migration in Ireland. (Dublin: Immigrant Council of Ireland)

<sup>xii</sup>Boylan, H., 2018. DO YOU SPEAK ENGLISH? A Study On Access To Interpreter Services In Public Social Welfare Offices In Ireland. Dublin: Crosscare

<sup>xiii</sup>The Law Society of England and Wales, <https://www.lawsociety.org.uk/topics/client-care/meeting-the-needs-of-vulnerable-clients>

<sup>xiv</sup>National Disability Authority Centre for Universal Design, Ensure that information is available to every user in a form that is accessible to them <https://universaldesign.ie/technology-ict/archive-irish-national-it-accessibility-guidelines/digital-tv-equipment-and-services/guidelines-for-digital-tv-equipment-and-services/documentation-and-consumer-information/ensure-that-information-is-available-to-every-user-in-a-form-that-is-accessible-to-them/>

Report designer [www.whitespacedesign.ie](http://www.whitespacedesign.ie)



25 Cork Street, Dublin 8, D08 YD91, Ireland  
T: 01 453 7459  
F: 01 453 7455

Email: [info@mercyllaw.ie](mailto:info@mercyllaw.ie)  
Website: [www.mercyllaw.ie](http://www.mercyllaw.ie)  
Facebook: [@MercyLawResourceCentre](https://www.facebook.com/MercyLawResourceCentre)  
Twitter: [@MLRCLaw](https://twitter.com/MLRCLaw)  
Linkedin: [@mercy-law-resource-centre/](https://www.linkedin.com/company/mercy-law-resource-centre/)



**Mercy Law**  
Resource Centre

Mercy Law Resource Centre CLG is a company limited by guarantee and not having a share capital, registered in Dublin, Ireland Co.Reg No:471072.  
It is also a registered charity Chy No:18698.

Directors: Eamonn Casey, Catherine Dooley, Edward Gleeson, Ciara McGrath, Cara Nagle, Deirdre Quigley, Stewart Reddin, Liam Twohig, Gerry Whyte.

December 2022

