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Mercy Law Resource Centre  
**ANNUAL REPORT 2013**

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# FOREWORD

## Message from the Chairperson

With gratitude to all involved I am very happy to introduce the Annual Report 2013 for Mercy Law Resource Centre, Dublin.

In the past year the Centre (MLRC) has continued to develop and establish its own unique approach to responding to legal difficulties for those who find themselves homeless or at risk of homelessness. Our services are free to all clients, are provided within the broader context of the current housing crisis and public policy barriers, and alongside many other agencies working in the same field.

MLRC gave free legal advice and representation to 603 clients in 2013. Regular weekly advice clinics take place in homeless hostels providing a human face to MLRC and facilitating easier access to help for clients. MLRC gave legal advice to organisations working in the area of homelessness, including Crosscare, Dublin Simon, Focus Ireland and Sophia Housing. This is an important development as it enables such agencies to differentiate the issues of clients, separating the legal from other matters. Also, MLRC provides training opportunities to staff of various organisations working with individuals and families 'out of home'. A huge need exists for the continuation and expansion of our service on the model already established.

MLRC was successful on a case in the High Court which clarified an important point in relation to housing law and the tenant's rights (*Zatreanu v Dublin City Council* [2013] IEHC 556)

On the policy front MLRC prepared a submission on the Criminal Justice (Spent Convictions) Bill 2013, submitting that only information relating to 'unspent' convictions should be disclosed to local authorities. Further, MLRC is engaged with other parties in discussing the possible inclusion of 'a right to housing' in the national Constitution.

The 'befriending service' is a vital part of the human face of MLRC and continues to colour all our work. Over the past year some 14 trained volunteers accompanied several of the Centre's clients who were most in need of support.

Our excellent office staff ensure that MLRC functions in a professional, compassionate, and timely manner. Rose Wall, MLRC's Solicitor-in-Charge up to May 2013, moved on to a new position as Managing Solicitor in another law centre. We are very grateful for the excellent work that Rose did in developing and strengthening the Centre. We wish her very well in her new role. We welcomed our new Solicitor-in-Charge, Maeve Regan, in August 2013. Maeve Regan and Sabrina Comerford carry the legal responsibilities and Sr. Caitriona O'Hara, Shauna Curran and Denise Fitzgerald cover the administrative dimensions. The on-going pro-bono support we receive from solicitors and barristers is of huge assistance to

us, and we are very grateful to each and all of our official and volunteer staff. Well done!

MLRC is a FREE service, does not receive any State funding, and relies on the generosity of donors. The costs incurred are modest – covering salaries and overheads. The Sisters of Mercy provide a significant portion of the funding and the Centre seeks to attract and raise the necessary additional funds by a variety of approaches. We are deeply indebted to all donors and also to Mason Hayes and Curran who continue to provide us with financial support and intern trainee Solicitors.

MLRC is an official Independent Law Centre and a Company limited by Guarantee with Charitable Status. It is fully compliant and seeks to be fully transparent in line with good practice today.

Finally, as Chair I wish to express sincere thanks to the members of the Board of Directors for their expert contribution and voluntary service to MLRC. It is very much appreciated.

We look forward with confidence to further progress in the coming year.



Sr. Helena O'Donoghue *Chairperson MLRC*  
June 2014



*Mercy Law Resource Centre staff*



# FOREWORD

## Message from the Managing Solicitor

This annual report reflects the work that Mercy Law Resource Centre (MLRC) has done in 2013. During this period, the economy has begun to show some signs of recovery, but, despite this, a crisis of homelessness has developed and is growing. MLRC was established in 2009 as it was identified that homeless people face additional hurdles in accessing legal services, rights and entitlements and that social housing and social welfare law are poorly catered for by the State and private legal sector. Since its foundation, the need and demand for MLRC's services have grown continuously.

MLRC provides a unique legal service. It provides free legal advice and representation in housing and related social welfare law, carries out policy work to advocate for change in the laws that have particularly adverse effects for the people that we work to help, people who are on the very margins of our society whose interests are otherwise often overlooked or unheard, provides training and legal support for organisations working in the field of homelessness and runs a befriending service to assist and support clients who are in particular need.

In 2013, MLRC solicitors advised and represented clients on issues including: accessing housing for separated fathers and for parents who have recovered from addictions to enable them to live again with their children; seeking transfers from local authority accommodation due to very serious anti-social behaviour; and seeking medical priority for housing for clients with severe health issues.

We meet our clients at our busy advice clinics in Focus Ireland, Liberties CIC, and in clinics in

homeless hostels including De Paul Back Lane. In 2014, MLRC will be opening a new clinic to meet and advise more clients.

MLRC's Befriending Service enables us to assist clients in the most difficult of situations and who lack the fundamentally important supports they need to find their feet again. We have seen that a befriender's steady presence can profoundly help a client navigate the way through the obstacles he or she faces. We are deeply grateful to the volunteer befrienders who make this service possible.

MLRC's policy work is expanding and developing. We work collaboratively with organisations working in the field of homelessness and with public interest housing lawyers. We do this to be alert to and identify common issues and to work individually and together for the greatest ameliorating effect for our clients. Our clinics and clients inform and ground our legal policy work. In 2014, MLRC's policy work will focus on issues including the right to housing, legal obstacles to accessing housing and the supply of housing; and procedures in relation to evictions.

By providing legal training to organisations working in the field of homelessness, MLRC works to support those organisations in their advice, advocacy and information provision services. It also helps those organisations identify where there may be legal issues in relation to their clients for which we can provide legal support.

I would like to take this opportunity to acknowledge and thank the Chairperson and the Board of Directors of MLRC for the wise and practical support they provide to guide the Centre in its development.

Thank you also to MLRC's volunteers who so generously add greatly to the Centre's impact. I would also like to thank the MLRC staff for their great work, humour, energy and commitment.

For funding, MLRC relies entirely on grants and donations. We are most grateful for this crucial support.

Our clients, those who are homeless or at risk of becoming homeless, are often deeply frustrated and under immense strain. Most have been faced with closed doors, negative decisions and a lack of fairness, clarity and transparency as they tried to access their basic legal entitlements. Our work involves finding a way, through the law, around or through these unjust blocks. MLRC's work is infused with an ethos of compassion and respect, which recognises the dignity of each human person as we seek to ensure that all people are enabled to access their full potential as human beings. We look forward to building on, developing and improving this greatly needed work in 2014.



Maeve Regan *Managing Solicitor MLRC*  
June 2014



## ABOUT MERCY LAW RESOURCE CENTRE

### 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.**

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 its client group.

### MLRC's work

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 problems. A further issue is that of a difficulty in accessing legal help. Homeless people are on the extreme margins of society and have additional hurdles in accessing legal services, rights and entitlements.

### A unique service

MLRC provides a unique service that is accessible and, as far as possible, shaped to meet the individual needs of each client. Where feasible, we meet clients in their own environment, e.g. by providing advice clinics in homeless hostels. We work with other organisations in the statutory and voluntary sectors e.g. Crosscare, De Paul, Focus Ireland and Dublin Simon, to ensure clients have the appropriate supports they need. We also have a team of volunteer befrienders who accompany clients through the often daunting process of accessing the legal system.

### MLRC'S ETHOS

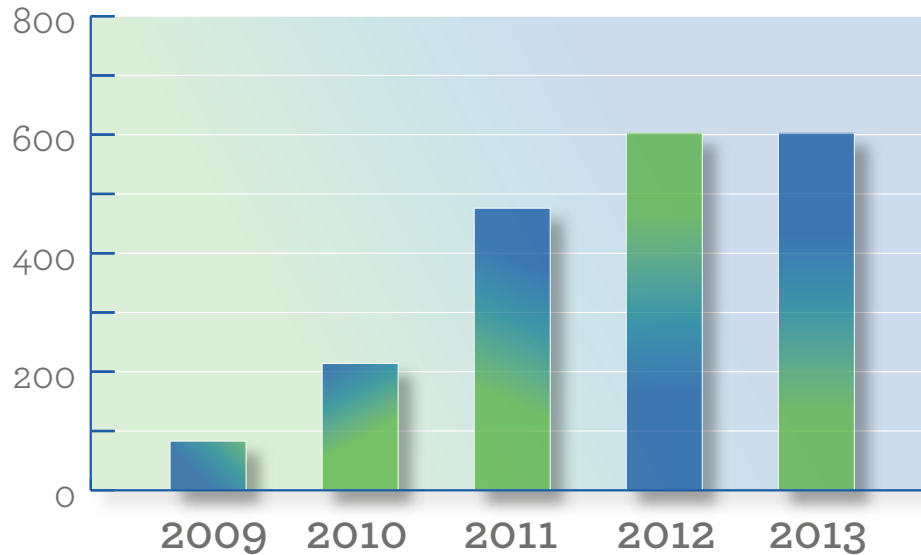
**MLRC's ethos recognises the dignity of each person. We seek to ensure that all people are treated with respect and compassion and are enabled to achieve their full potential as human beings. We are committed to the principles of human rights, social justice and equality.**



## FREE LEGAL ADVICE AND REPRESENTATION

In 2013 we provided advice and or court/tribunal representation to approximately 603 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

“ Mercy Law was a great help to me. I did not know where to start or how it would finish. I went to Crosscare, who referred me to Mercy Law. I saw Rose first. She offered me to sit down with a cup of tea. I explained my situation and she said MLRC would do their best to help me. I gave my details and had another appointment and Mercy Law advised me to see my ex-wife to explain to her I had to remove my name from her house as I was down as a tenant of RAS.

I met with Rose again and then Sabrina, who was very wonderful. She helped me get the form I needed for the Council. Then I could get a letter and the Council said I had to get a barrister to sign my affidavit and Mercy Law helped me with this. Then my file was good and it didn't take a long time before I could go to the Council's housing section and make my application for housing. I was now qualified to get housing.

It was hard to find a house to rent but I had good people who helped me and in a while it was good. I am now renting a house with my son. My experience is that with Mercy Law and their advice I knew what to do. It was difficult but Mercy Law took an interest in me, they are interested in helping the people, they come and talk, they are so good and take the time to help you. I wish Mercy Law will continue to help the people like that and we need to help Mercy Law. I will come back to say thank you.

”

“ Thank you very much for all the support and help that my family has received from Mercy Law Resource Centre... 2013.

Thanks to the MLRC solicitor's competent action Social Welfare Appeals Office has granted our appeal in connection with Supplementary Welfare Allowance claim. That is what secured our family in that difficult life situation connected with my husband's long term illness.

We were very impressed with the advice and service we received and most of all, with the personable approach and we would highly recommend this company to anyone seeking help in relation to legal and social welfare matter.

”

Focus Ireland put me in touch with Mercy Law Resource Centre, who are wonderful. Sabrina is very helpful and extremely thorough. I certainly wouldn't like to take her on in an argument! She is very straightforward, honest, she didn't lead me up the garden path, black was black, white was white. Anything she promised she got for me. Dublin City Council had refused to deal with me, I had been a tenant, then a purchaser, but I had to sell and move into my mother's house and only Sabrina's fight last year got me through this. Dublin City Council has now housed me out of Avoca House, all thanks to Sabrina in Mercy Law Resource Centre and Focus Ireland. Sabrina did all the legal fighting, she understood how my family treated me, she showed great compassion and understanding. Only for Mercy Law Resource Centre I would still be in emergency accommodation.

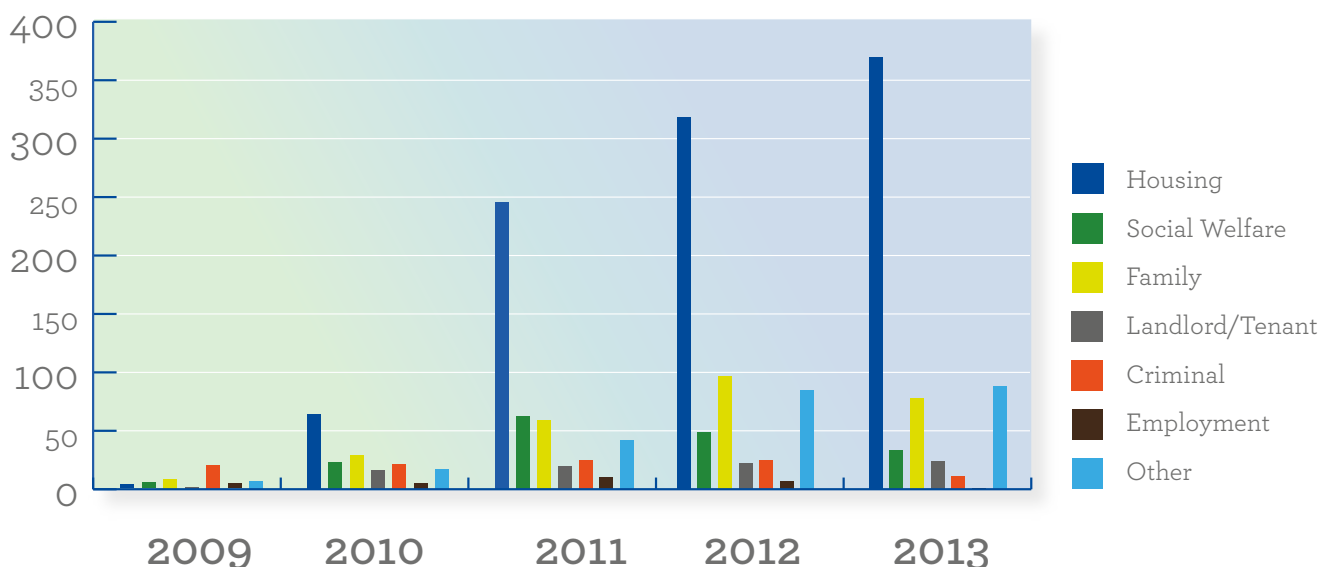
## LEGAL ADVICE

MLRC holds free legal advice clinics in homeless hostels and other centres for the homeless.

- Haven House (Crosscare), every 2<sup>nd</sup> Tuesday;
- Backlane Hostel (De Paul) every Tuesday;
- Focus Ireland Coffee Shop, every Wednesday;
- Harcourt Street (Dublin Simon), every 2<sup>nd</sup> Tuesday.
- Liberties Citizen's Information Centre, every Wednesday.

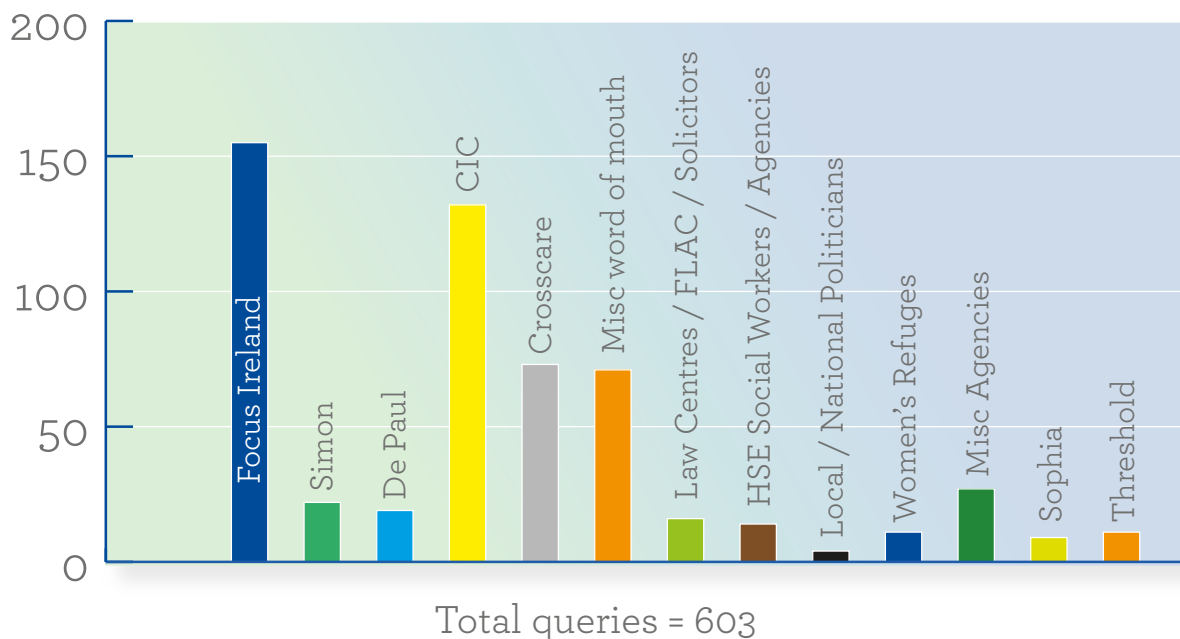
Our clinics are staffed by MLRC solicitors and deal with all legal issues raised, predominantly housing law, family law and social welfare law. Our solicitors determine if a case file needs to be opened for further representation for an individual's issue. Sometimes advice on the necessary direction is all that is required.

## 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 2013



### In 2013, the following organisations referred clients to MLRC and consulted MLRC for legal advice:

Bridge Project	Crossscare Haven House	National Advocacy Service
CIC Advocacy Workers	Crossscare Dun Laoghaire	New Beginnings
CIC Ballyowen	Depaul Backlane	Probation Service
CIC Blanchardstown	Dignity For Patients	Ruhama
CIC Cherry Orchard	Donnycarney Youth Centre	Saoirse Women's Refuge
CIC Clondalkin	Dublin City Council	South Dublin County Council
CIC Crumlin	Family Resource Centre Inchicore	Simon Community - Dublin
CIC Finglas	FLAC	Simon Community - Meath
CIC Liberties	Focus Ireland Dublin	Simon Community - Wicklow
CIC Meath Street	Focus Ireland Galway	Womens Aid
CIC North King's Street	Focus Ireland Limerick	Sophia Housing
CIC National Phone Service	Focus Ireland Tallaght	St Catherine's Foyer
CIC O'connell Street	Frc Inchicore	St. James' Hospital
CIC Rathmines	Hse Social Workers Dublin	Tallaght Women's Refuge
CIC Tallaght	Hse Social Workers Limerick	Threshold Dublin
CIC Tralee	Irish Traveller Movement	Threshold Galway
Cluid	Limerick Law Centre	Transparency International
Coolmine T.C.	Local/National Politicians	Trinity Hall
Cope Galway	Mental Health Service Inchicore	Viva Refuge
Crossscase Amiens Street	Merchants Quay	Crossscare Cathedral Street
Mercy Family Centre		



## LEGAL REPRESENTATION

In 2013, MLRC had a total of 48 open client files (39 new files and 9 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.

### Case Studies

#### CASE STUDY 1

High Court upholds judicial review of refusal of application for a transfer from local authority accommodation due to “exceptional social ground” -

*Zatreanu & Ors v Dublin City Council*

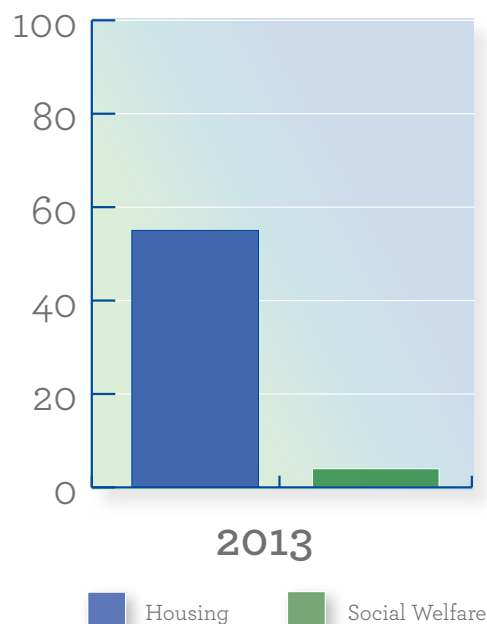
On 4 December 2013, the High Court gave judgment in *Zatreanu & Ors v Dublin City Council* [2013] IEHC 556. In this case, MLRC, on behalf of its clients, Mr Zatreanu and his family, had sought judicial review of Dublin City Council’s decision not to grant MLRC’s client application to transfer to other local authority accommodation based on “exceptional social grounds”. The case raised important questions regarding the local authority’s obligations in deciding on our client’s application to transfer to other local authority accommodation on “exceptional social grounds”.

MLRC’s client had applied to Dublin City Council for a transfer due to severe harassment suffered by MLRC’s client and his family. Dublin City Council had refused the transfer on the basis that the issues of harassment were matters for the Gardaí.

The High Court, Hedigan J, found in favour of MLRC’s client quashing the decision of Dublin City Council to refuse his transfer application and returning it for a new decision by the Council.

The case is important in that it clarifies the issue that in deciding on an application to transfer on exceptional social grounds the local authority must have regard to an applicant’s complaints of harassment. The case, and a summary of the case, is available under the Court Updates section on [www.mercylaw.ie](http://www.mercylaw.ie)

### Types of Client Cases %



## CASE STUDY 2

### Separated parent successfully represented for local authority housing of a size to accommodate his children of which he had joint custody

Our client, the father of a three-year old girl and two boys aged six and eight, was living apart from the children's mother. The parents had joint custody and guardianship of the children and both were actively involved in parenting. The children lived primarily with their mother but also spent two or three nights each week with their father. They also spent regular holiday periods with their father and stayed with him for longer periods while their mother was incapacitated by depression. Our client was a tenant of the local authority and lived in a one-bedroom flat. The flat which has one double bed and one double sofa bed was unsuitable to accommodate the children.

Our client had applied to the council for transfer to a larger unit which would accommodate his children but his application was declined because the children did not live permanently with him. MLRC represented the client and made submissions to the Council, citing the rights of the children to

have full access to both parents and the unsuitability of the father's accommodation in this context. An amended transfer application was then submitted to include the children and the Council subsequently responded by accepting the amended application. The father's points allocation was increased to the level required for accommodation with two bedrooms.

This issue has arisen in a number of cases that MLRC has dealt with. Separated parents who are actively co-parenting their children can have difficulty securing suitable accommodation for regular overnight stays by the children. In this case, the Council was prepared to consider the particular circumstances of the family and to recognise that the father was genuinely involved and committed to full participation in the rearing of his children. The Council took all the evidence presented to it into consideration and revised its assessment of housing need in light of all the facts.

## CASE STUDY 3

### Client refused access to housing list as deemed to have interest in family home – successfully represented by MLRC

One of our clients, a mother of two young children was homeless when she attended MLRC. The local authority would not accept her on the housing list as her name was on a mortgage with her parents and she was perceived to have an interest in her parents' property even though she had never contributed to the mortgage repayments. The bank would not release her from the mortgage and she and her children could not live in the property with her parents as her father is a registered sex offender.

MLRC advocated to the local authority on behalf of our client. As result, the local authority placed our client on the housing list and our client was, as a result, entitled to rent supplement. This client is now in private rented accommodation with her two young children. The client has been assigned a befriender who will provide non-legal support.

## CASE STUDY 4

### Client, living in a women's refuge, successfully represented by MLRC to be placed on housing list and access rent supplement

One of our clients, referred to us by a women's refuge, had left the family home due to domestic violence. The local authority refused to place her on their housing list as she was a homeowner. The refuge was unable to provide her with accommodation indefinitely and the client was faced with the prospect of emergency hostel accommodation.

MLRC made submissions to the local authority who eventually issued a Housing Needs Assessment letter which enabled our client to apply for rent supplement and rent privately.



## CASE STUDY 5

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### Client removed from housing list in circumstances of lack of fair procedures, successfully represented by MLRC

MLRC successfully settled a case with a local authority on behalf of a client with three children and who found herself homeless and living in emergency accommodation. Our client had been on the housing list for over 9 years and had signed a tenancy agreement with a voluntary housing agency not knowing the monthly rental rate which our client was not able to afford. Our client then signed a surrender to the tenancy agreement when she realised that she could not afford the monthly rent without being aware of the implications of doing so. Our client had poor English and did not understand the ramifications of same.

Our client was removed from the housing list and was advised that she would have to make a new

application at the end of 2013 but she would lose all of the points that she had accumulated on the housing list for the last 9 years. Our client was living in emergency accommodation with her three children and could not access private rented accommodation as she was not on any housing list.

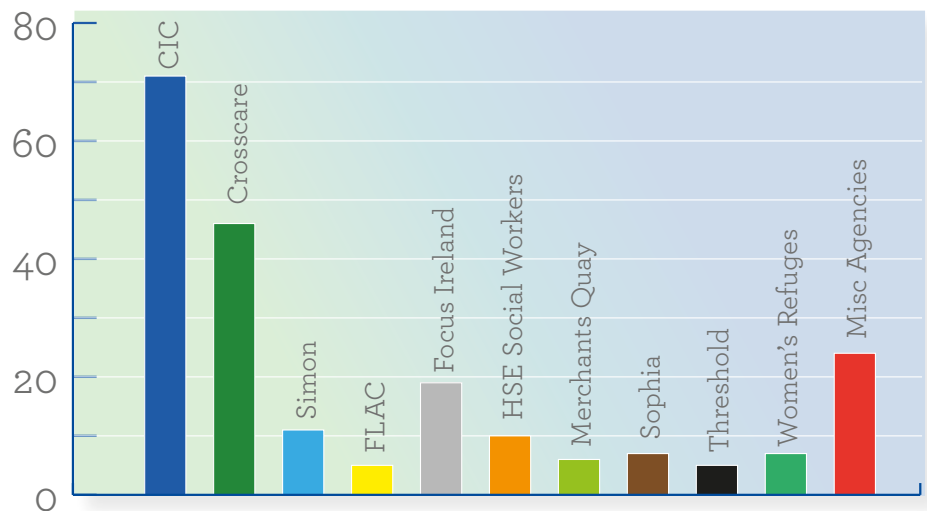
MLRC made representations to the local authority on her behalf in an effort to resolve the matter. However, it was necessary for MLRC to issue Judicial review proceedings in the High Court as the local authority did not engage in negotiations with MLRC. Having successfully sought leave in the High Court, MLRC, on behalf of its client, settled the matter with the local authority at a very early stage of the proceedings and our client was offered a property by the local authority which she accepted. Our client is now settled into her new property with her three children.

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

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

MLRC provides legal support and training to organisations in the field of homelessness. This can include legal input and support on policy issues, advice on individual cases and/or staff training. MLRC holds focus groups with organisations that we work with to identify issues which MLRC can support, advise or collaboratively approach with these organisations.

### Organisational Queries 2013



### What organisations that MLRC works with have said about MLRC's work:

#### Liberties Citizens Information Centre

The Liberties Citizens Information Centre provides advice and advocacy services on a range of issues, primarily relating to social welfare and social housing issues.

Over the last number of years our caseload has increased significantly. Many of the issues presenting at our centre have become more complex. Whether it is accessing local authority housing lists or homeless services, ensuring housing regulations and standards are maintained, preventing clients from becoming homeless, or upholding tenant's rights – the staff at the Mercy Law Centre are at hand to provide expert advice and assistance.

Over the last twelve months we have referred many cases to the Mercy Law Centre all of which have been pursued with the utmost dedication to achieve a fair and just outcome for the client. Our own advocacy service has benefited immensely from our collaboration with the Mercy Law Centre as we have been able to take their advice and approach into many of the cases we deal with. We would like to take this opportunity to thank all of the staff at the Mercy Law Centre for their ongoing assistance and wish them well for the coming year.

#### Crosscare Housing & Welfare Information

Crosscare Housing and Welfare Information is an information & advocacy service which works with people experiencing difficulties accessing social welfare, homelessness and housing supports. Over recent years cases presenting to us are increasing in complexity. It is therefore excellent that we can rely on the legal support and expertise of Mercy Law Resource Centre. MLRC assist us by not only taking on individual client cases but also by providing an invaluable role in up skilling our team of information and advocacy workers. Through working in partnership with MLRC we have achieved many positive outcomes not only for individual clients presenting, but outcomes that can influence positive change more broadly. This assists us to have broader impact and capacity to challenge decision made that adversely affect our client's lives.

## 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. The training is designed to be lively, interactive and responsive to the issues regularly encountered by attendees in their work.



Attendees of an MLRC housing law training from Liberties, Inchicore and Dublin North West CICs:

## Some comments from attendees on the training sessions:

*“[The MLRC solicitor] was an excellent tutor and delivered the session very well and with great ease”*

**“GREAT SESSION!”**

*“Keep up the good work, cannot wait until... our next training.”*

*Several attendees noted that the session would make a “tremendous difference” to how they would do their job.*

### Focus Ireland

I work on the Open Access Case Management team, Focus Ireland. Mercy Law supported my customer with an issue they were having with the local authority regarding their housing application; the result of which was a positive outcome. The solicitor was a strong advocate and understood the complex needs of my customer. The solicitor was extremely professional and her expertise in the area was a great support for my customer.

The team in Mercy Law are an invaluable support and have given both customers and the team extremely helpful advice. The solicitors are flexible and their expertise, commitment and interventions have been vital in some of our cases. I would thoroughly recommend Mercy Law and would like to thank them for their support to date.

### Depaul Ireland

Depaul Ireland Back Lane Hostel works with men of all ages and backgrounds who are homeless and over the age of 18. Mercy Law has been working in partnership with Back Lane with this vulnerable group of people and have provided advice and advocacy to individuals who may have thought they could not progress their current circumstances but now have hope.

The Mercy Law team are professional and compassionate in their approach, providing clarity and advice on primarily housing and welfare issues, maintaining contact with service users on the progression of their case and a service that many of our service users would not normally have access to. This is an invaluable resource and we look forward to many more years working with Mercy Law.



## POLICY WORK

The Centre recognises that casework and policy work go hand in hand and one cannot be successful without the other. The advice clinics and casework highlight the issues that our client group faces. This informs the test cases we take and policy issues we tackle.

MLRC advocates change in laws, policies and attitudes which unduly and adversely impact on the Centre's client group. The Centre is a member of a housing group which meets on a regular basis to consider matters of policy e.g. liaising with local authorities in respect of their housing policies. The Centre has also set up focus groups with organisations working in the field of homelessness. This is invaluable not only in terms of learning what the issues are on the ground but also in terms of providing advice, information and education to such organisations on the issues which they come across.



### Legislative submissions

In 2013, MLRC made a policy submission on the Criminal Justice (Spent Convictions) Bill 2012. The Bill was published on 4 May 2012 and has not yet reached final stage for adoption by the Oireachtas.

The main purpose of the Bill is to assist with the rehabilitation of offenders, who often experience difficulties securing employment as a result of having a conviction. The Bill provides a regime under which certain convictions can be disregarded after a number of years have elapsed since they were imposed. MLRC's submission advocated the extension of the proposed spent conviction scheme to the provision of public funded housing by local authorities. MLRC submitted that:

- Only information relating to 'unspent' convictions should be disclosed to local authorities when carrying out estate management checks, thereby ensuring individuals are given a fair opportunity to obtain social housing.
- To ensure that the proposed scheme is effective, equality legislation should be extended to include a prohibition on discrimination on grounds of a past criminal conviction;
- An independent body with enforcement powers should be set up to investigate complaints under the proposed scheme.

In 2014, MLRC will be producing policy submissions and advocating on, among others, the long awaited Housing (Miscellaneous Provisions) Bill 2013. The Bill will be introducing a new housing assistance payment, and procedures in relation to the termination of local authority tenancies.

## The right to housing

MLRC is a member of the Economic, Social and Cultural Rights Initiative, an umbrella group of organisations advocating for the strengthening of economic, social and cultural rights. The group includes Amnesty International Ireland, Northside Community Law Centre, FLAC and Focus Ireland. 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.

In 2014 MLRC will be continuing this work, independently and with this group, to advocate for the right to housing to be provided for under Irish law.

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

MLRC is a part of an informal Housing Group, which meets on a monthly basis to share information and consider matters of policy. Other members of the group include:

- Dr. Padraic Kenna NUI Galway
- Community Action Network (CAN)
- Focus Ireland,
- Public Interest Law Alliance (PILA)
- Barnardos
- Northside Community Law Centre (NCLC)
- Ballymun Community Law Centre (BCLC)
- Irish Traveller Movement (ITM)

MLRC meets on regular basis with the housing lawyers in the independent law centre sector – from Northside Community Law Centre, Ballymun Community Law Centre and ITM Law Centre. The informal network discusses case work and policy work to identify current issues and areas of fruitful collaboration. The network is working together on collaborative policy submissions in 2014, including in relation to legal obstacles to accessing housing and to the supply of housing and the Housing (Miscellaneous Provisions) Bill 2014.





*MLRC's Befrienders and MLRC staff at a Befrienders' training given by Maeve Hurley and Evanna Lyons of Ag Eisteacht.*

## BEFRIENDING SERVICE

MLRC recognises that the legal system can be alienating and difficult 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 in order to accompany and provide them with emotional and practical support as they go through the difficult process of trying to assert their rights. The 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.

In 2013, 14 Befrienders were matched with, and supported, client Befriendees.

### Befriender's story

I went to Mercy Law and found them extremely helpful, especially its Befriending service. My befriender has absolutely helped over and above the call of duty with me. She has been there every step of the way from when I was at the refuge to where I am now and I don't know what I would have done without her. My befriender befriended and helped me out unconditionally, she was an absolute God-send and bar none she is a saint and more than a friend now.

Without the whole Mercy Law Resource Centre I wouldn't have got this far as I was at breaking point. The way they helped with all the legal and explained what I could do, as I couldn't have got through it without them. They helped me out of the mire that I didn't understand and the mine field of legal jargon. I can't speak highly enough about what the Mercy Law Resource Centre does.



## Befriender's story

My thoughts on several years of befriending:

Having overcome the initial nerves and apprehension I have settled into my own rhythm of befriending. Due to my nomadic lifestyle I have only ever had one client, with whom I have steady, if irregular, contact.

The main support I can offer my client is when she has communication and emotional/social problems, mainly related to accommodation and its suitability for her particular needs. So far she has moved several times from various assisted housing complexes as due to her earlier issues and consequent disabilities she finds it difficult to settle down. There is constant flux in her life. My client has no family contacts at all. I know she welcomes my efforts to help her in tough times and then visit her in her bedsit, or when times are good for her, we go shopping and/or lunch.

My befriender's training was truly appropriate and practical for the situations I have experienced with my client. Particularly useful was the discussion and advice in relation to boundaries, and of course the true differences between being friends and befriending. Knowing that our Coordinator is always at the end a phone is of immense value to me.

I enjoy my opportunity to be a befriender with all its rewards and challenges. Seeing the gradual improvement in the quality of life of my befriender encourages me greatly. I look forward to more involvement with the group and being more available to attend the regularly-organised volunteer meetings.

Orla is a long term Befriender for a Befriender who suffers from several disabilities.

## ORGANISATION

### MLRC'S OFFICES

Apart from the 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 2013, MLRC had five staff members. Rose Wall, MLRC's Solicitor in Charge since April 2010, and solicitor with MLRC since 2009, moved from MLRC to a new role as Director of Northside Community Law Centre. Sabrina Comerford, solicitor with MLRC since October 2012, was the acting Solicitor-in-Charge from June until mid-August 2013. Maeve Regan was appointed as Solicitor-in-Charge in mid August 2013. The Solicitor-in-Charge is responsible for the management, casework, and policy work of the Centre.



Maeve Regan, *Solicitor-in-Charge from August 2013*



Rose Wall, *Solicitor-in-Charge April 2010 to May 2013*



Sabrina Comerford, *Acting Solicitor-in-Charge June-August 2013, Part-time Solicitor*



Shauna Curran, *Part-time Administrator from March 2013*



Denise Fitzgerald, *Part-time Legal Secretary*



Nuala Monaghan, *Part-time Legal Secretary in 2013 while Denise Fitzgerald was on leave*

## VOLUNTEERS

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

### Administration



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

### Legal



Geraldine Hynes  
*Volunteer Solicitor*



Bernie Walsh  
*Volunteer Solicitor  
(to 2014)*

### Befrienders

Mary Connaughton	John Curran
Kathleen Delaney	Keri Goodliffe
Mubarak Hamid	Trish Harte
Anna Hickey	Colette Kelly
Nuala Kennedy	Jo Kenny
Michael Liddy	Mary Mahon
Rosaleen More	Luarena McCormick
Orla O'Connell	Mary O'Farrell
Caitriona O'Hara	Brid Sheehan

We offer our deepest sympathy to the family and friends of Mary Connaughton R.I.P. who was a Befriender with our service since its beginning. We remember with gratitude the constant and ongoing support with which she enabled her client to move so happily from homelessness to a home of his own. May she rest in peace.

## COMMUNICATIONS

In 2013, 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 30 posted in 2013. 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 2014 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

Mercy Law Resource Centre is delighted to have continued in 2013 our internship programme with Mason Hayes & Curran solicitors. In 2013, MLRC welcomed Mason Hayes & Curran, trainee solicitors Sinead Breathnach (April-August 2013) and Sarah Jenkinson (November-December 2013), who worked with the Centre one day a week.



### Sinead Breathnach of Mason Hayes & Curran on her work with MLRC

I am a University of Limerick graduate and a trainee solicitor in Mason Hayes & Curran (MH&C). During my first rotation in MH&C I was given the opportunity to attend Mercy Law Resource Centre one day per

week as part of the firm's Corporate Social Responsibility Programme. From my very first day in MLRC it was clear that a lot of hard work was being done. I was immediately thrust into the middle of things and soon found myself preparing briefs for court cases and attending to filing obligations in the Central Office of the High Court. Much of my time in MLRC was spent carrying out research, with two projects in particular taking up the majority of my time. The first consisted of assisting the Centre in drafting its contribution to a collective complaint to the European Committee of Social Rights in relation to breaches of numerous provisions of the European Social Charter by the Irish State. The second issue that I helped MLRC to research revolved around hospital discharge policies where the

patient is homeless at risk of homelessness. This latter piece of research is still ongoing.

I can honestly say that my time spent in MLRC is time I will never forget. The work that the Centre does on a daily basis is simply invaluable and by advocating for those unable to represent themselves, the Centre provides a service that has a lasting and life changing effect on its users. Getting to see this effect first-hand showed me just how much good can be done when the law is used in a positive way and it will stay with me as I go forward in my legal career.

It is the staff at MLRC, however, that made my time there so enjoyable. Rose, Sabrina, Geraldine and Maeve taught me so much about the practicalities of the law in a short space of time and they were always there with a friendly, listening ear whenever I had questions. In addition, the fantastic support staff (Catriona and Shauna) were always on hand to assist me with any difficulties. I wish MLRC every good wish for its work into the future."



### Mercy Law Resource Centre also welcomed interns Rebecca Martin and Alison Connolly to work with the Centre.

#### Alison Connolly interned with Mercy Law Resource Centre for the summer of 2013:

I spent the summer of 2013 working with Mercy Law Resource Centre, and I can honestly say it was one of the most interesting and fruitful internships I have participated in. I am a law graduate and am hoping to focus on public interest litigation in the future. While I have interned with a number of firms over the course of my degree, none of these had specialised in public interest law. Spending the summer in the Mercy Law office on Cork Street reaffirmed more than ever my interest in this area of legal practice...

The team allowed me to complete meaningful research projects for clients, entrusting me to contact them myself, which I greatly appreciated and

which gave me a real insight into their cases and the circumstances which brought them to MLRC. One of the most interesting aspects of my work with the centre was accompanying Ms Comerford to the legal clinics which Mercy Law conducts in homeless hostels across the city. These standing appointments give clients the opportunity to meet solicitors and get legal advice on their housing issues. Many of the people we met were already living in emergency accommodation or were at risk of becoming homeless. Getting the chance to engage with clients in this way added gravitas to the work we undertook in the office.

I cannot emphasise enough the importance of the work undertaken by Mercy Law Resource Centre. They provide legal advice to some of the most vulnerable people in our society and work tirelessly for their clients. I sincerely hope I have the chance to work with them again in the future.

## 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).

*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 autumn 2014.*



*MLRC Board of Directors: Liam Twohig, Ciara McGrath, Patrick Stagg, Helena O'Donoghue, Gerry Whyte, Deirdre Quigley, Jo Kennedy, Anne Doyle, Niall Farrell*

The Centre is governed by a Board of Directors who meet with the Solicitor-in-Charge and administrator every six weeks. The Solicitor-in-Charge 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.

### The Directors of our Board are:

**Helena O'Donoghue (Chair)** - Mercy Sister and Director, Sophia Housing

**Anne Doyle** - Mercy Sister and Director of Open Heart House Ltd

**Niall Farrell** - Solicitor, Patrick J Farrell & Co. Solicitors, Newbridge, Co. Kildare

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

**Ciara McGrath** - Project Leader, Crosscare Housing & Welfare Information

**Deirdre Quigley** - Senior Programme Manager, Facilities Management, Central Bank of Ireland

**Patrick Stagg** - Director of the National Association of Citizens Information Services and Bluebell & Dublin 8 Citizens Information Centre

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

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



## FINANCE

### Cost of our service

The cost of running MLRC in 2013 amounted to approximately €210,000.

The service is totally dependent on fundraising and does not receive any public grants or state monies. In 2013, we received some €55,000 in donations and 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 the 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 accounts service
- Volunteer befrienders
- Volunteer administrator
- Volunteer part time solicitors

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



**In 2013 MLRC ensured all necessary measures were in place to allow the centre to sign 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. Our report on our fundraising activities can be found under 'Contributions and Donations' in this Annual Report.**

## Contributions and donations

We gratefully received funds ranging from €100 up to €25,000. Among those who contributed were:

Mason, Hayes & Curran  
St Stephen's Green Trust  
The Ireland Funds  
ESB Electric Aid  
Eli Lily & Co. (Ireland) Ltd.  
Conrad N Hilton Fund for Sisters  
Milltown Golf Club  
Totally Irish Gifts.com  
St. Anne's Convent, Booterstown



## 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 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, further details are on our website, [www.mercylaw.ie](http://www.mercylaw.ie)

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.

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**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).**

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## 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 2012 to 30 April 2013.

### Extracted from Audited Accounts for the financial year 1 May 2012 to 30 April 2013

Income and Expenditure Account for the financial year 1 May 2012 to 30 April 2013	2013 €	2012 €
Income (Donations)	149,211	143,561
Expenditure (Salaries/admin)	(187,041)	(117,857)
(Deficit)/surplus on ordinary activities before interest	(37,830)	25,704
Interest payable and similar charges	(6)	-
(Deficit)/surplus for the year	(37,836)	25,704

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 20 November 2013 and  
signed on its behalf by



Helena O'Donoghue  
Director




Patrick Stagg  
Director

Balance Sheet as at 30 April 2013	2013 €	2012 €
<b>Fixed Assets</b>	<u>6,948</u>	<u>8,996</u>
Tangible assets		
<b>Current Assets</b>		
Debtors	3,619	3,333
Cash at bank and in hand	<u>62,835</u>	<u>96,753</u>
	66,454	100,086
<b>Creditors: Amounts falling due within one year</b>	<u>(6,382)</u>	<u>(4,226)</u>
<b>Net Current Assets</b>	<u>60,072</u>	<u>95,860</u>
<b>Total Assets less Current Liabilities</b>	<u>67,020</u>	<u>104,856</u>
<b>Reserves</b>		
Income and expenditure account	<u>67,020</u>	<u>104,856</u>
Members' Funds	<u>67,020</u>	<u>104,856</u>

Approved by the Board on 20 November 2013 and signed on its behalf by



Helena O'Donoghue  
Director



Patrick Stagg  
Director

## FUNDERS

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

Mercy Sisters



Mason Hayes & Curran



St. Stephen's Green Trust



Conrad N Hilton Fund for Sisters



ESB Electric Aid



The Ireland Funds



Eli Lilly & Co. (Ireland) Ltd



Milltown Golf Club



Totally Irish Gifts



## 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, advocacy and representation:

Alan DP Brady B.L.

Eoin Coffey BL

Derek Shortall B.L.

Eugene Hill B.L.

Michael P. O'Higgins S.C.

Olwyn Bennett B.L.

Kevin Baneham B.L.

Siobhan Phelan B.L.

Michael Lynn B.L.

Conor Dignam S.C.

Mark de Blacam S.C.

Feichin McDonagh S.C.

### Auditor

Natalie Kelly, Anne Brady McQuillans DFK

Fiona Britton, Anne Brady McQuillans DFK

### Accountancy Services

Martin J Kelly & Co.

### Legal Costs Accountants

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

### Volunteers

Volunteer Befrienders

Volunteer Solicitors – Geraldine Hynes  
and Bernie Walsh

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

Volunteer Interns – Sinead Breathnach, Sarah  
Jenkinson, Rebecca Martin and Alison Connolly



**Mercy Law Resource Centre**

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

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

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