

Housing rights and homelessness

Lessons from a pro bono partnership

Impact of the pandemic and beyond



A&L Goodbody



Mercy Law
Resource Centre

FOCUS Ireland

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Foreword



Eilis Barry
Chief Executive FLAC



This second report *“Housing rights and homelessness- Lessons from a pro bono Partnership-Impact of the pandemic and beyond”* which sets out the impact of the pro bono clinic and the lessons learned from this unique partnership of Mercy Law Resource Centre, Focus Ireland and A&L Goodbody is illustrative of the phrase – the whole being greater than the sum of its parts. It is also very striking how the report illustrates all of the topics discussed at the recent Conference of the Chief Justice’s Access to Justice Committee on a model legal aid system, and FLAC’s view of an ideal legal assistance service which it set out in its submission to the Review of the Civil Legal Aid system.

This report reflects how access to justice is a vital anti-poverty and social inclusion measure and can improve health outcomes as well as holding public bodies like local authorities to account. The report also illustrates the “Clustered Injustice” described by Professor Luke Clements

at the conference. We know that legal problems are not randomly distributed across populations but disproportionately affect disadvantaged groups and individuals and can create and exacerbate disadvantage. There is an additive element, the greater the disadvantage the greater the number of legal issues.

This pro bono clinic has all of the elements of an ideal legal assistance service. It puts the homeless person at the heart of the service and looks to target and prioritise the greatest areas of need. It strives to be accessible and tailored to the needs of particular disadvantaged groups and individuals. It has a focus on preventative justice which involves early legal advice and intervention to address problems before they escalate and can prevent cases going to court. This kind of early intervention saves catastrophes and can also address unknown unmet legal need at an early stage. There is a focus which includes information about legal rights, and integrated connected

community-based service delivery. An ideal legal assistance system needs also to be flexible and innovative in how it carries out its services as is shown by the thoughtful practical response to the pandemic and the keen awareness of the benefits and disadvantages of “remote” services.

It also looks to build legal capabilities. Legal capability includes the knowledge and confidence that are needed to cope with day-to-day legal situations, alongside the awareness of legal and political mechanisms for effective reform. Successful pro bono partnerships are built on collaboration – where each partner can draw from the others’ strengths. The project is an excellent successful example of such collaboration which can be replicated by those keen to grow the depth and breadth of their pro bono practices. PILA can support the development and nurturing of these projects – identifying issues, the gaps and working with the private sector and social justice organisations to fill this unmet legal need.

History of the Partnership

Created five years ago the housing law clinic has always had the objective to provide free, professional and accessible legal advice and representation to persons and families experiencing the crises of homelessness. In the second report examining the impact of this project we reflect on some of the lessons learnt from this unique partnership between Mercy Law Resource Centre, Focus Ireland and A&L Goodbody LLP (ALG) which was facilitated and supported by the Public Interest Law Alliance, a project of FLAC (the Free Legal Advice Centre) and how the pandemic transformed the delivery of its service.

Increased capacity through pro bono legal services

Commencing in 2018 the pro bono housing law clinic coincided with the single largest increase in family homelessness and an escalating housing crisis. The pro bono clinic followed the legal clinic model operated by Mercy Law Resource Centre since 2010. Mercy Law was set up in 2009 to provide free legal advice and representation for people who are homeless or at risk of becoming homeless. It also seeks to advocate for changes in law, policies and attitudes which unduly and adversely impact people who are at the margins of our society. Since commencing in 2010 the clinic operated from the Focus Ireland Coffee Shop on Eustace Street; a place familiar and trusted by those availing of the services of the organisation. Each week a solicitor from Mercy Law met with clients to give support and advice on urgent homelessness issues and issues concerning social housing.



The pro bono clinic adapted this model to harness the skills of ALG solicitors to staff these clinics. The major benefit of this clinic was its ability to scale by upskilling commercial solicitors at ALG through extensive training and skills sharing to deliver legal advice and representation; and adopting the community based model used successfully by the NGO partners previously. This led to an increase of 125% in the legal services available during the first 12 months of the partnership.

A Global Pandemic requires the Housing Clinic to move online

In early 2020, the COVID-19 pandemic arrived in Europe and quickly spread causing widespread societal disruption and upheaval. Like other countries, Irish employers and organisations rapidly adapted to new forms of working in order to avoid spreading the virus.

At a time when people were being advised to 'Stay Home, Stay Safe' for many of the clients of the housing clinic this was not possible; either because they were experiencing homelessness or were forced to

leave where they were staying due to issues such as family breakdown or domestic violence. It became apparent very quickly that the need for the clinic remained even though we were forced to work apart. This led to a series of meetings between the clinic partners to agree new working arrangements that would enable the clinic to shift to remote access to the solicitors online. Weekly meetings were held between the partners to triage the issues coming in and react quickly to systemic issues arising from the case work. The team at ALG kept a watching brief of public health measures with real time information shared with the other partners relevant to those availing of the services of the clinic. The team also shared its knowledge bank of legal resources with the teams at Focus Ireland and Mercy Law.

In-take forms continued to be shared and ALG rostered solicitors met with clients online through a telephone call or video call utilising Zoom or Teams. The clinic is rostered on a quarterly basis with a minimum of four ALG solicitors available each week to take on new referrals. There are currently

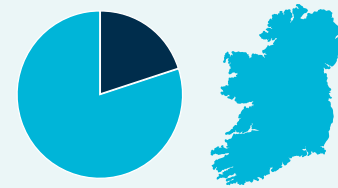


232 ALG solicitors, trainees and paralegals trained and available to assist with the clinic.

To date the initial intake of clients from the project continues to take place online. It allows the client and solicitor to meet virtually, to take initial instructions and gather further information and documentation. After this the solicitor and client will often meet in person at ALG's office where this has been sought by the client and to provide additional support at such a stressful time.

The clinic partnership has supported 503 clients (the majority of whom are family units); with 287 families supported through the remote legal clinic set up at the onset of the pandemic.

Cases breakdown



80% Dublin
20% Elsewhere
(second most popular Kildare)

Clients



67% female
29% male



47% involved family units

28% cases identified as coming from a minority group

The Virtual Housing Clinic

Benefits and Barriers

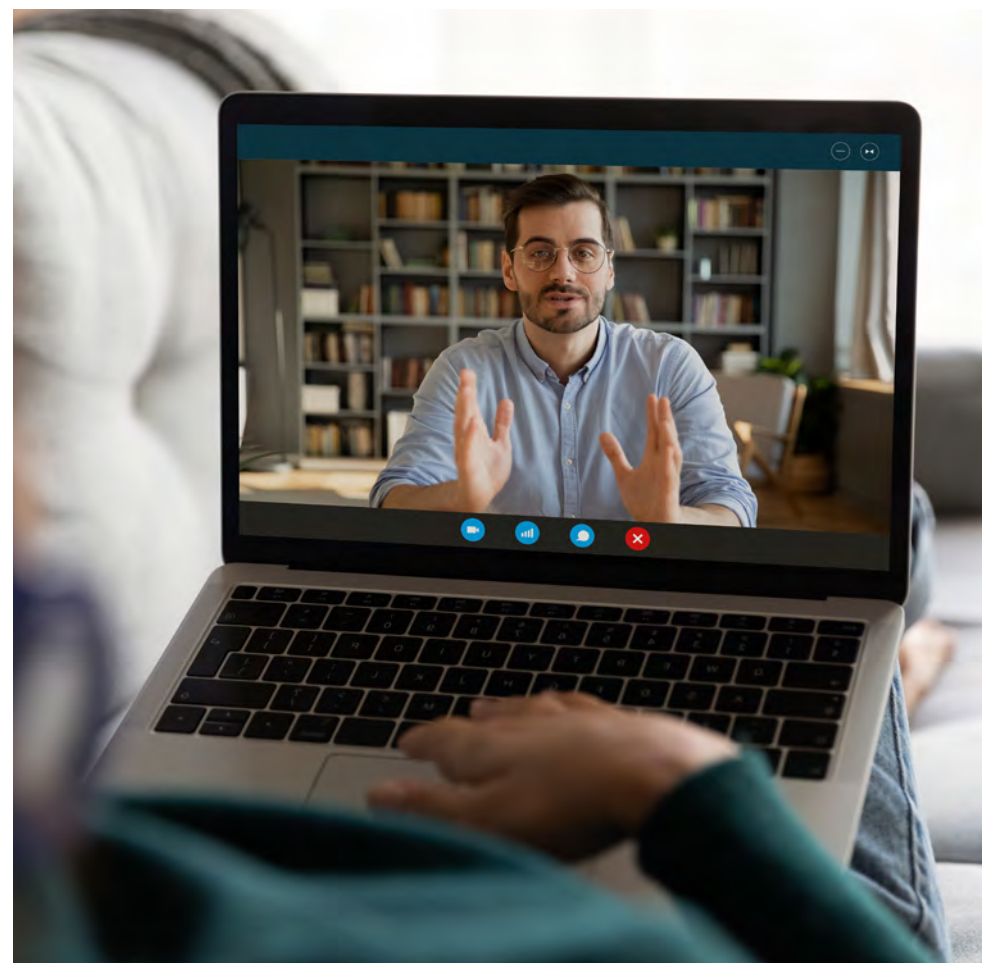
The pandemic has fundamentally altered the way in which we work; with increased flexibility of where and when we work. These changes are reflected in the current model of the clinic; with some client meetings now taking place in person; but with training and partnership meetings remaining online. At a practical level this has led to greater efficiencies on the operation of the clinic but the clinic partners have asked ourselves does this structure continue to reach those most in need of its services? With no physical presence in the community at the Focus Ireland Coffee Shop is it taking people longer to come forward with their legal issues? There has been a drop in numbers seeking assistance from the clinic in this period and it is arguable this was a factor; however there was an overall decrease in persons experiencing homelessness during the pandemic due to measures such as the Covid-19 eviction bans

and improved emergency accommodation practices discussed in further detail below.

At a broader and macro level the pandemic has ushered in some gains and benefits that have remained after the severest restrictions have been lifted. The change in practice has also resulted in some additional benefits not anticipated at the outset.

More stable emergency accommodation bookings for clients

At the beginning of the pandemic, Focus Ireland, ALG and Mercy Law were working with families who were accessing emergency accommodation on a night-by-night basis in the Dublin Region. We saw an end to this practice at the start of the pandemic with 24 hour access/stable emergency accommodation becoming the trend for both singles and families. Families were booked into stable emergency accommodation where they previously



had to access accommodation each night and check out each morning, usually due to not being deemed as eligible for housing by the local authority. This practice was applied to families who were usually deemed not to be eligible/assessed as homeless. This was a positive change in practice by the local authorities which gave families stability and consistency in their accommodation and to a large extent has remained the practice to date.

Move to phone/online practice- Increased geographical accessibility

Moving the initial clinic appointment to phone rather than in person has meant legal services have been made accessible to clients across Ireland. While there are many benefits to connecting with customers in person, improving the access to services in this way was a positive outcome during the pandemic. Many services in Focus Ireland successfully transitioned to the hybrid working model and productivity did not decrease. Advice and information staff were able to carry out three-way calls as

needed also with the customer and their keyworker. This increased the accessibility of the clinics, stretching the remit of legal supports available to other regions outside of Dublin. Mercy Law has also observed this trend in its own services with a significant increase in cases from outside the Dublin region since remote services were made available.

Flexibility in time of appointments due to phone service rather than in person clinic

With the move to remote/phone clinics, this allowed an increased level of flexibility outside of the clinic appointments which provided greater accessibility to clients seeking support from the service.

Cross sectoral collaboration

The pro bono partnership is a primary example of cross-sectoral collaboration with a view to supporting vulnerable families and individuals experiencing homelessness. It is this type of multi-faceted coordination that we need to harness to end long-

term homelessness in Ireland, as committed to in the Lisbon Declaration to End long-term Homelessness in the EU by 2030. The partners are all members of the Irish Homeless Policy Working Group; with insights from the case work generated by the clinic to policy officers in homeless organisations at a national level.

Another example is the Focus Ireland's Shielding Service, which was set up to protect individuals with chronic or long-term homeless histories and enabling their access to healthcare. Set up during the pandemic response in 2020, this service exemplified cross-sectoral collaboration with local authorities, public health teams in the HSE and the NGO sector resulting in a more holistic approach to supporting more vulnerable members of the population.

Lack of human connection and reliance on access to technology

One challenge posed by the new way of working was the lack of human connection and interaction for vulnerable customers in homeless and housing services during this period. Homelessness is a traumatic



experience and for children, it is considered an adverse childhood experience with long-lasting impacts on health and development. For vulnerable customers seeking support and advice remotely, it was challenging in some cases to provide this solely online and without face-to-face interaction. Further challenges are posed where there are language barriers or literacy challenges, or for clients experiencing ‘digital poverty’. Mercy Law recently produced a report ‘*Making Free Legal Services Accessible*’ examining accessibility in a hybrid service context which considers these issues in more detail¹.

In 2021, Focus Ireland commenced a three-year project to become a trauma-informed organisation. Trauma-informed practice is an approach to health and care interventions which is grounded in the understanding that trauma exposure can impact an individual’s neurological, biological, psychological, and social development. Trauma-informed practice aims to increase

practitioners’ awareness of how trauma can negatively impact on individuals and communities, and their ability to feel safe or develop trusting relationships with health and care services and their staff. Fostering trust and positive relationships between customers and staff was somewhat challenging in the hybrid Covid-19 environment, especially regarding more complex cases.

Rolling eviction bans

Throughout the pandemic, the Government’s decision to introduce eviction bans demonstrated the impact of active policy interventions in reducing homelessness. While a Winter Moratorium on evictions is the norm in many European countries, this was an exceptional move in the Irish context prompted by the pandemic. Several eviction bans were introduced on and off between March 2020 and April 2021 during the worst of the pandemic to prevent households from becoming homeless.

These interventions from Government contributed to significant falls in homelessness over that period. From the start of the pandemic overall homelessness fell by almost 20%—from 9,907 in March 2020 to 7,991 in May the following year. Significantly, most of the decline was in family homelessness – with the number of homeless children falling by a third from 3,355 to 2,148 over the same period. Adult-only homelessness (adults without accompanying

children) on the other hand largely stayed the same or rose during the same period.

In most cases, the reason given to the Residential Tenancies Board for terminating these tenancies was that the landlord intended to sell the property. The instability of the private rented sector and the over-reliance on the private rented sector to provide social housing solutions remain key drivers of homelessness.



Maria Quigley, ALG

“Participating in the housing clinic has really highlighted the many complexities caused by the housing crisis and how it has impacted not just on individuals applying for housing supports but also on the abilities of local authorities to source suitable housing options in the current market. It has been extremely rewarding, personally and professionally, to assist clients in whatever small way through this work.”

1. www.mercylaw.ie/publications/mlrc-making-free-legal-services-accessible-report-final-7/

The Housing Clinic

Clustered and complex legal issues

In 2019 116 new client files were opened by solicitors at ALG. 20% or one in every five files concerned clients who were homeless and encountering issues accessing emergency accommodation. The issues ranged from complete refusal, to insecure accommodation with families having to vacate and re-book their accommodation nightly; to wholly unsuitable conditions and prolonged stays with no clear pathway out of emergency accommodation. The remainder of the files concerned barriers to social housing; including illegal refusals; transfers, medical priority applications and appeals for transfer refusals and time lost on the social housing list.

In March 2020, Ireland took immediate action to deal with the risk to human life and public health posed by Covid 19. Emergency legislation to prevent the spread of disease

and mitigate its adverse economic consequences including a rent freeze and a ban on evictions. Guidance for protecting homeless and vulnerable people was issued in April. These measures are reflected in the types of issues that came up during the clinic during this year with less than 10% of client files opened to specifically deal with refusals of emergency accommodation and a reduction in overall referral numbers. During the year 80 new files were opened; the majority of which concerned issues by tenants in overcrowded and unsuitable social housing accommodation.

This trend continued into 2021 with again less than 10% of files relating to access of emergency accommodation. In 2022 76 new files were opened, a slight decrease on 2020, and similar to previous years the legal issues arising concentrated more on those in accommodation but at risk of homelessness. There was a notable increase in assistance being sought for

transfers due to anti-social behaviour and failures to maintain properties to a habitable standard. A number of queries concerned insecure HAP tenancies and almost 15% were clients seeking to appeal a suspension from the housing list.

In reviewing the case files for this report what became apparent is that clients presenting at the clinic rarely required housing law advice alone. In the majority of the client files

opened through the clinic the client or family were experiencing two or more legal issues that required advocacy to resolve. Prominent issues outside housing included irregular immigration status; refusal of social welfare benefit; criminal prosecutions and family breakdown. Where the legal issue fell outside the parameters of the clinic the person was referred to civil legal aid (where available) or suitably qualified and experienced social justice organisations.

“Without the help and guidance from ALG, a mother and newborn baby could have been potentially treated in an unfair way. Having had little experience dealing with cases of status to remain in Ireland the knowledge and expertise from the solicitor gave me the confidence to argue a fair outcome for the family.”

- Focus Ireland Staff member

Mercy Law Reflection

While the level of homelessness in Ireland fell slightly during the pandemic, there remained a strong demand for legal support through this period.

Where need did arise, it was particularly acute because many information and support services effectively shut down when face-to-face operations were suspended. The flexibility of ALG and Focus Ireland in rapidly pivoting to an online clinic model is a testament to the strength and value of this partnership. In keeping the clinic operating during this difficult period, we were able to serve the needs of some of the most vulnerable in society when they had nowhere else to turn.

The experience of the clinic over this period mirrored that of Mercy Law, with remote operations casting the accessibility challenges faced by those seeking access to legal and advocacy services into sharp relief, but also presenting some benefits. The development of remote services improved accessibility for some cohorts and the increased reach

to clients based outside Dublin is particularly welcome.

As we write now, the housing crisis has deepened significantly since the clinic was first established five years ago. In Mercy Law's own work, referrals to our service have increased 60% year-on-year, with a significant increase in the proportion of those cases concerning urgent homelessness issues. The additional capacity the clinic presents to meet a growing legal need is of immense value, and we look forward to the continued success of this partnership into the future.



Aoife Kelly Desmond,
Managing Solicitor
Mercy Law Resource Centre



Case Studies

Case Study 1: Family experiencing overcrowding successfully re-housed

When we met the client he had been living in a small one bedroom apartment with his wife and three children. The bedsit had one bedroom which was totally unsuitable for the amount of people living there and did not have regular access to hot water. The family had submitted an application to be placed on the social housing list months prior to being referred to us. The council had requested documentation that had already been supplied and would not clarify what was still outstanding, so the family could get acknowledgement that the application was complete. Whilst the family's total income was initially above the social housing thresholds, our client's circumstances had changed in the period between

submitting the social housing application to the point where we were engaged. Our client's wife had given birth to their third child and had become a stay at home mother- the family had lost one income and had also increased by one since the time of the initial application. Our client did not speak fluent English and so found it difficult to communicate his changed circumstances with the council.

We wrote to the council and informed them of the new arrival to his family and that his wife no longer received an income. We also explained this to our client and advised that he submit a new application to the council to reflect his updated family situation however shortly after this our client was let go from his job and it became all the more urgent that the family received vital housing support. Our client's Focus Ireland caseworker assisted

him in applying for the relevant social welfare support so that the family had a certain level of income to keep them afloat and ALG advocated on his behalf to the council.

Following continued engagement with the council, we secured confirmation that the local authority would not require a new application to be made and would update the information on his file to reflect the changed circumstances. The council also gave us direct contact information to a member of the Housing Department and via this direct channel of communication we were able to quickly send on his updated family and social welfare information to allow the council assess him as coming within the social housing income thresholds. Our client was also approved to receive HAP support whilst assigned to the social housing list.



Karen Gardiner, ALG

“It can be difficult to balance both commercial work and pro bono work but once you are organised it is extremely manageable. It is about setting expectations early on and explaining to the client that there can be delays but that we will act as quickly and efficiently as possible.”

Case Study 2: Council fails to give due consideration to medical needs of the social housing applicant

When we first met this client she was living in a one bedroom apartment; with the assistance of HAP and was seeking an increased payment to allow for overnight care and medical priority. She subsequently became homeless later that same year. With the added complexity of homelessness we worked on addressing her emergency accommodation, while also supporting an application for

medical priority and securing long term social housing.

This client has very complex medical needs, which means that she requires a very specific type of accommodation. We submitted an FOI request to the council to gather all of the relevant documents and we helped the client to bring together medical evidence and submit to the council. The client

was subsequently granted overall priority on medical grounds and approved for Homeless Housing Assistance Payment.

We were also successful in getting the client's housing application approved for a two bedroom property in recognition that she requires overnight care assistance. The client was finally approved for a property.



Case Study 3: Refusal of emergency accommodation by council successfully appealed

Our client had been residing in private rented accommodation when they were lawfully required to leave. The family moved into a hotel at great personal expense for six nights; before they were no longer

able to afford the rooms. The clients contacted the council seeking to avail of emergency accommodation. In a misapplication of the law the Council refused the family shelter by erroneously conflating their refusal of social housing outside of their areas of preference and at considerable distance from the children's schools and place of work of their father.

We were instructed to engage in legal advocacy on behalf of the family; arguing that the council had failed in its statutory obligations under section 2 of the Housing Act by refusing to conduct a homeless needs assessment for the family. The team further argued this failure also infringed on the family's Constitutional right to family and private life and the

right to education. Further, such failure potentially breached Article 8 of the European Convention on Human Rights. After engaging in correspondence over a number of weeks the family were finally provided with emergency accommodation and quickly thereafter social housing within their areas of preference.

Case Study 4: Vulnerable tenant successfully re-housed following successful engagement with the council

The client was experiencing issues with his local authority tenancy. He was particularly vulnerable, having suffered from physical and mental health conditions including an acquired brain injury, schizophrenia and addiction issues. He moved into a local authority tenancy but had to move out after six months for estate management concerns.

The council cited noise complaints and anti-social behaviour complaints from other residents as a result of another person that the client had brought onto the property, in breach of his tenancy agreement. The council verbally asked the client to surrender the property or else they would have to evict him and he would not be eligible for another house for 3-5 years.

Following legal advocacy on our part the council offered the client an interim placement for 12 months in a shared accommodation and organised a meeting to discuss his options. We advised the client as to his rights and entitlements going into this meeting and the council agreed to attempt to re-house the client. The client moved into respite care. We then met with the council again and discussed the complaints against the client and possible solutions. The council offered the client a new local authority house, in a different area, closer to his family. The client viewed the property and signed for the new tenancy. He has now moved his belongings into the new property and is residing there.



Case Study 5: New mother refused access to emergency accommodation with infant

The client arrived in Ireland a few years ago from Africa and had volunteered with a charity here. She became pregnant and gave birth to a baby girl. She was unable to return to the accommodation provided by the charity with her new baby and had no alternative

accommodation available to her. We contacted two local authorities seeking a homeless assessment for our client and her baby.

One council refused to conduct a homeless assessment because the client's recent address was within another council's functional area. We wrote to both and required immediate assessment or else we would seek leave to apply for judicial review. The client was unable to leave the hospital at this time.

We also made an application for permission to remain on behalf of the client on the basis of their parentage of an Irish citizen child.

After issuing pre-litigation action letters to both local authorities our client was assessed by one and granted emergency accommodation. A month later our client was granted permission to remain and Stamp 4 residency in Ireland. Our client was admitted to the social housing list and successfully sourced a property

to rent in a neighbouring county. Our client encountered numerous difficulties requiring an appeal against a negative social welfare decision which resulted in her HAP payment being stopped. Ultimately, following intense advocacy both payments were re-installed. The case is a good example of the intersection of legal issues and how the misapplication of the law can lead to serious detrimental consequences for families existing in precarious situations.



Jack Sheehy, ALG

“The work allows me the opportunity to help clients in what can be a crisis situation. Clients are often in a highly emotional state so it’s important we remain calm and assist them in navigating their case to its conclusion as smoothly as possible.”

Case Study 6: Successfully advocated provision of emergency accommodation for pregnant client and her husband

Our clients were a young married Traveller couple. When our clients initially engaged with us for the purposes of assisting them in securing emergency accommodation, they were homeless and sleeping in their car for more than 2 weeks. They have a number of vulnerabilities as the husband has mental health issues and the wife is pregnant.

Our clients secured emergency accommodation on a “self-accommodate” basis in a hotel. Later they were approved for HAP and were advised by the council that they may be given notice at some time in the future to leave their emergency accommodation as the owners would no longer be in a position to house them.

The accommodation was being repurposed for single females only. Following this, we corresponded with the local authority and sought confirmation that our clients would be offered emergency family accommodation when they left their emergency accommodation, or alternatively transferred to a family hub. An additional complicating factor is that the husband’s family are involved in a feud with another family who are located in the city centre and the husband absolutely refused to consider emergency accommodation in the city centre due to safety concerns.

With less than one business days’ notice, the council informed our clients that they would be asked to leave their emergency

accommodation and would have to locate alternative emergency accommodation. We had a consultation with a barrister experienced in this area with a view to a potential judicial review (JR) of the council’s actions. At the same time we continued to contact the council and advocate on our clients’ behalf, requesting that our clients not be removed from the emergency accommodation until such time as they located suitable alternative emergency accommodation. Our clients were allowed stay in the hotel temporarily (so no JR was ultimately pursued). In March 2023, our clients successfully secured emergency accommodation on a “self-accommodate” basis in a neighbouring county.

“What wonderful news. I am sure that without your efforts, this result would not have been achieved. Thank you very much on my behalf and on behalf of my wife.”

– ALG housing client granted medical priority for their family.

Case Study 7: Homeless family offered new long term accommodation

This client and her three children were at immediate risk of homelessness in February 2021 due to the client's landlord selling the property herself and her family resided in. The family had been on the Local Authority housing list for 9 years. We wrote to the local authority and were able to secure immediate emergency accommodation for our client. However we wanted our client to secure a permanent home so we applied for this on her behalf to the council. The client had previously applied for medical priority as our client's son suffers from a rare life threatening disorder requiring frequent hospital admissions.

The family were refused medical priority. We wrote to the council seeking reasons for the refusal. We also sent medical evidence from

hospitals and doctors confirming the urgency that the family required suitable accommodation immediately. We stressed how vital it was that the family have permanent & long-term accommodation to ensure the health status of our client's son did not deteriorate. We followed up for a couple of months and were informed in August 2021 that our client was being given a 3 bedroom house in Blanchardstown.



Amy Martin, ALG

“Safe and secure access to suitable and sustainable accommodation is a basic human need, which no-one should be without. Unfortunately, the housing and homelessness crisis in Ireland is worsening, and for those most affected by it, it often feels like there is no end in sight. Working with the Mercy Law Resource Centre and Focus Ireland through our housing clinic has enabled me to use and develop my legal skills, knowledge and expertise to tackle this issue. While the work can be challenging, it is extremely rewarding, and I am very grateful to be in the position to assist those most affected by this ongoing crisis.”

Case Study 8: Homeless couple supported in successfully appealing deferral from the housing list

Last year we assisted a homeless couple who were sleeping rough in Dublin to secure social housing with an approved housing body. Our clients made an application for social housing to a local authority in Dublin and had been on the social housing waiting list since 2016. Our clients were near the top of the list and close to being housed when they were informed by the local authority that their social housing application had been deferred for “Estate Management” reasons. One of our clients had a number of criminal convictions but had been working extremely hard to improve his life and had no convictions for many years when our clients’ social housing application was deferred. Our clients engaged with Focus Ireland initially who advocated on their behalf to appeal the deferral, however, the local authority refused

to engage with them. We wrote to the local authority to ask them to confirm (i) whether our clients social housing application had been deferred, and (ii) if so, the reason for the deferral and the length of the deferral. The local authority advised us that our clients’ social housing application had been deferred under section 14 of the Housing Miscellaneous Provisions Act, 1997 following receipt of a Garda vetting report. However, the local authority had previously advised us that our clients had already successfully appealed this deferral.

Subsequently, our clients were informed by the local authority that a specialist approved housing body, which provides social housing for people exiting homelessness and those at risk of homelessness, had

identified a potentially suitable property in North Dublin for our clients. A viewing of the property was arranged, following which our clients accepted the offer. Unfortunately, at this time both of our clients lost their jobs and were told that they would be unable to move into the property until such time as they were in receipt of social welfare payments. Our clients experienced some difficulty when applying for social welfare, which meant that they would potentially forfeit the offer. At this point, we again engaged with the local authority and approved housing body to resolve the issue and our clients were permitted to accept the offer of the property while their social welfare issues were dealt with. Our clients moved in to the property and have been residing there since.

“I sourced a privately rented apartment and we are receiving the HAP. I just want to say that I am extremely grateful for all your help and support through what was a very difficult time. I will keep your number!”

**– ALG client
granted uplifted HAP
for himself and his
daughter**

Focus Ireland Reflection

It is an increasingly challenging time for the housing and homeless sector, from adapting the way we support our most vulnerable customers during the pandemic, transitioning the organisation to a hybrid working environment or the “new normal” and grappling with rising homelessness and housing undersupply. The ability to collaborate and continue to support those most in need throughout a global pandemic has shown the strength and importance of the pro bono partnership clinic at an incredibly challenging time for the NGO and homeless sector.

At the time of writing the latest figures from the Department of Housing, Local Government and Heritage show that over 11,742 people are in emergency accommodation including over 3,373 children². The Government's decision to lift the Winter Moratorium on Eviction from April 1st has caused widespread concern in the homeless sector as emergency accommodation remains at capacity and the private rental market has contracted due to significant numbers of landlords selling up and exiting the market.

As the housing and homelessness crisis continue to deepen and more people find themselves at risk of homelessness, the demand for the pro bono partnership between ALG and Mercy Law continues to increase, as the clinic provides vital legal support to those at risk of homelessness in challenging times. Data from the Residential Tenancies Board shows

that Notices of Termination increased considerably in 2022, with over 4,329 Notices of Termination received in Q.4 2022. Overall, 9,000 Notices of Termination were received in the last six months of 2022 which leaves the housing and homeless sector deeply concerned about rising levels of homelessness.

However, as an organisation we know that it has never been more critical to work collaboratively with our stakeholders on delivering evidence based solutions. We welcome the recent increase in social housing delivery. Figures released from the Department of Housing, Local Government and Heritage in March 2023 show that over 7,433 new builds were delivered in 2022. However, while we recognise that this is more social housing delivered in the State since the period of the financial crash, this figure is 1,500 below the 9,000-target set out in Housing For All.

A whole-of-Government approach is needed to address housing undersupply and to prevent homelessness. Every effort must be made by Government to address barriers to housing delivery, as providing an adequate supply of social and affordable housing is the key to ending long-term homelessness in Ireland. We welcome the Department of Housing, Local Government and Heritage in commencing work on a Strategy for the Private Rented Sector. Many of the case studies included in this report and further casework carried out by the pro bono partnership clinic during this period demonstrates how the instability of the private rented sector is putting households at risk of homelessness. Improving the stability of the private rented sector and ensuring greater security of tenure for families and individuals is a critical step to preventing homelessness. Lastly, at a time when the housing

2. gov.ie - Homeless Report - February 2023 (www.gov.ie)

and homelessness crisis remains the prevalent social and political concern, public debate in Ireland has centred on the right to housing from a human right perspective, exploring whether the right should be inserted into the Irish Constitution.

In other countries, enshrining the right to housing in the constitution has made it easier for Governments to provide adequate housing and deliver on housing supply. We look forward to exploring this perspective as part of wider evidence-based solutions to the housing and homelessness crisis. We believe that as the pro bono partnership has demonstrated, working collaboratively with stakeholders from across the public, private and voluntary sector will ultimately deliver the lasting impact needed to end long-term homelessness in Ireland.



Tara Gallagher,
Policy Manager Focus Ireland



A&L Goodbody LLP Reflection

What is expected of and what it means to be a responsible business is evolving very quickly. Last year we launched our new Responsible Business strategy that places ESG (environmental, social and governance) at the very heart of our business.

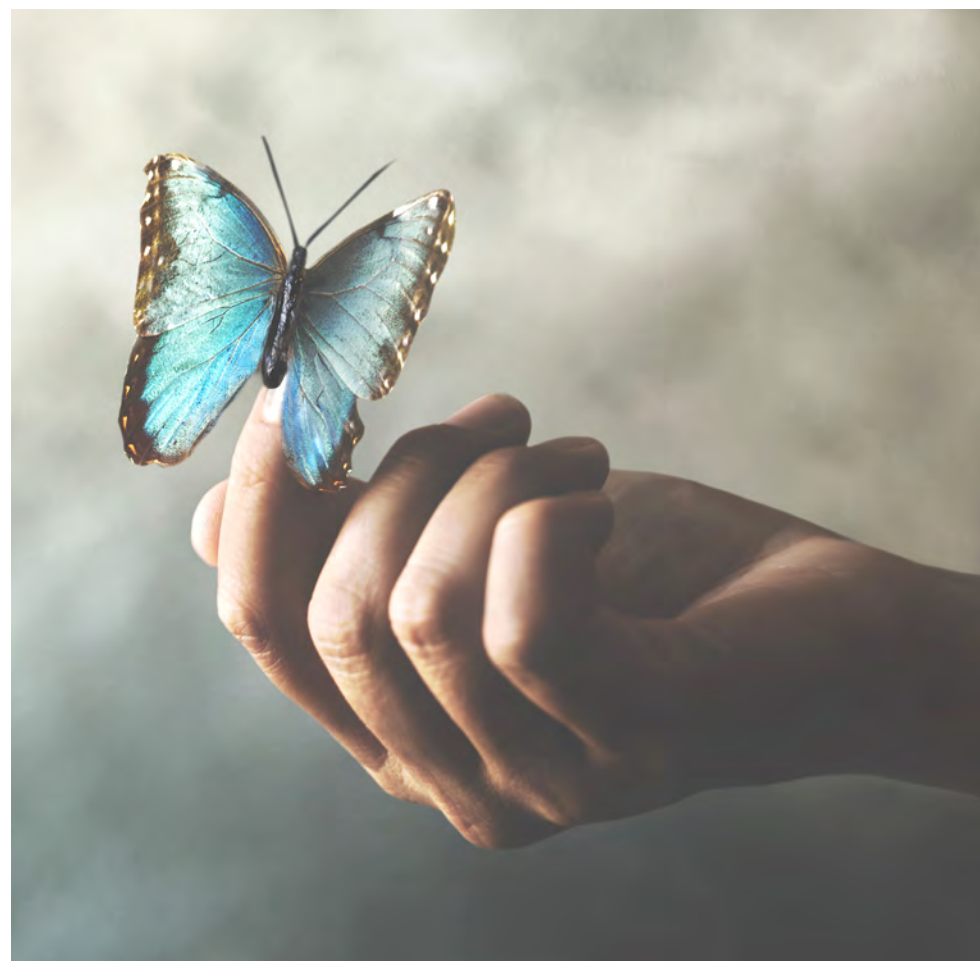
Called 'Our future with purpose – ALG's commitment to sustainability, the new strategy will recalibrate how we define our goals and success as a firm. The climate emergency, widening social inequalities and the deterioration in human rights across the globe cannot be viewed in isolation and separate from how we conduct our business. Not only is this the right thing to do, but it's important to our own people, to our clients and to society as a whole.

We want to use our skills and knowledge to contribute positively to reducing inequalities in our society. Collaborations like the housing project with Focus Ireland and Mercy Law Resource Centre have been a key enabler for us to deliver on this ambition. We have a shared purpose of exploring ways to support those impacted by the housing crisis. For the

past five years we have worked together to provide free accessible legal services; pivoting rapidly when the pandemic required us to work apart. More than 200 people from across our law firm have now been trained in the area of housing law. As can be seen from the case studies this work has great value and meaning for our lawyers and it has become a real part of their everyday legal practice. We're incredibly proud of the partnership and what we have been able to achieve together. We only see this partnership as growing stronger and we look forward to continuing our work together.



Eithne Lynch, Head of Pro Bono ALG





A&L Goodbody



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