

ANNUAL REPORT 2017



Legal Aid Board

An Bord Um Chúnamh Dílíthiúil



Mission

Our mission is to provide a professional, efficient, cost-effective and accessible legal aid and mediation service in accordance with the terms of our statutory mandate.

Vision

Our vision is to facilitate access to justice through the provision of legal aid and advice and family mediation services in a manner which compares favourably with best practice internationally.

Values

- High professional standards in the provision of our services.
- Responsiveness to evolving customer and other stakeholder demands and openness to change.
- High ethical standards.
- Effective leadership at all levels.
- Cost effectiveness and value for money.
- Effective accountability arrangements with an emphasis on organisational performance and active risk management.

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Overview

1. Function and Purpose

The Legal Aid Board is the statutory, independent body responsible for the provision of **civil legal aid and advice** to persons of modest means, in accordance with the provisions of the Civil Legal Aid Act 1995 (the “Act”). The Act was amended by Section 54 of the Civil Law (Miscellaneous Provisions) Act 2011 which gave the Board the additional responsibility to provide a **family mediation** service. The Board’s remit is in the process of being further expanded, following a Government decision in 2010, to include within the Board’s remit, the management and administration of the various **criminal legal aid** schemes previously administered by the Department of Justice and Equality. Responsibility for the administration of the Garda Station Legal Advice Scheme, the Legal Aid - Custody Issues Scheme (formerly titled the Attorney General’s Scheme) and the Criminal Assets Bureau Ad-hoc Legal Aid Scheme has transferred to the Board.

Legal advice, in terms of the Board’s remit in civil cases, is any oral or written advice given by a solicitor or barrister, including writing letters and negotiations.

Legal aid is representation by a solicitor or barrister in court proceedings. A person must first obtain a legal aid certificate, which specifies

the legal services being granted, and, in civil cases, must pay the legal aid contribution specified on the certificate. Legal services are provided across a wide range of civil law matters.

2. Service Provision

Civil legal aid and advice is provided primarily through a **network of law centres** by solicitors employed by the Board. There are 30 full time and 12 part-time law centres. Contact details for the Board’s law centres can be found on www.legalaidboard.ie. Services are also provided by solicitors in private practice who are engaged by the Board on a case-by-case basis.

Specific law centres in Dublin, Cork and Galway include an **international protection** speciality and there are also dedicated units in Dublin dealing with **personal injury** and/or **medical negligence** cases and cases involving **children at risk**.

The Board also operates a specialised **Refugee Documentation Centre**, which provides an independent and professional research and library service for all of the main bodies involved in the international protection process.

Family mediation services are provided through eight full time offices and nine part time offices.

Services in the three criminal legal aid ad-hoc schemes currently under the Board's remit, the Garda Station Legal Advice Scheme and the Legal Aid - Custody Issues Scheme, and the Criminal Assets Bureau Legal Aid Scheme are provided through private solicitors and barristers.

3. Obtaining Civil Legal Aid Legal Services

A person seeking legal services in civil cases must apply to any of the Board's law centres and must complete an application form, stating the subject matter on which legal advice and/or aid is sought and giving details of income and any capital resources.

The Board seeks to ensure that a person who qualifies for civil legal aid (legal services) will be offered an appointment with a solicitor within a maximum period of four months from the time the application is completed or will be offered earlier legal advice if it is not possible to provide full legal services within four months. A priority service is provided in certain cases including cases involving domestic violence, child abduction, applications by the State (Tusla) to take children into care or under supervision, and cases that have statutory time limits close to expiry.

4. Eligibility and Payment for Civil Legal Aid Legal Services

There are financial eligibility criteria which the majority of civil legal aid applicants must meet in order to be eligible for legal services. Furthermore the legal services provided by the Board are subject in most cases to the applicant paying a financial contribution and thus are not 'free'. The legal advice contribution is assessed on the applicant's disposable income, i.e. income after certain deductions. The legal aid contribution is assessed on the applicant's disposable income and disposable capital. The minimum contribution is €30 for legal advice and €130 for legal aid. No fee is payable by applicants who are seeking advice and / or representation in cases (involving Tusla) to have their child taken into care or under supervision. At the end of 2017 the Minister for Justice and Equality signed regulations to remove the contribution payable in domestic violence cases in the District Court. The law centre advises a person of the actual contribution in each individual case. In the event that a person recovers money or property arising from the case, the Board may seek to recover the cost to the Board of providing legal services to the client.

5. Obtaining Family Mediation Services

A person seeking to avail of mediation to assist with the resolution of a family problem must apply to any of the Board's family mediation offices. Contact details for the Board's family mediation offices can be found on www.legalaidboard.ie. The second party also needs to contact the same

office to confirm his/her interest in attending mediation. Once both parties have confirmed that they wish to mediate they will be offered an appointment as soon as possible. There is no requirement for an applicant to meet financial eligibility criteria and there is no charge for the service.

6. Criminal Legal Aid Ad-hoc Schemes

There are five criminal legal aid schemes, three of which are administered by the Board.

Persons detained under certain legislation in Garda stations may be entitled to legal advice under the Garda Station Legal Advice Revised Scheme by way of telephone and / or in-person consultations in the Garda station. They may also be entitled to legal advice by way of the attendance of a solicitor with them at Garda interviews. A person seeking legal advice under the Garda Station Legal Advice Revised Scheme must make their request to the Custody Officer in the Garda Station where they are detained. They must complete the standard Application Form and provide details of their financial means to ensure that they satisfy the financial eligibility threshold.

The Legal Aid - Custody Issues Scheme provides for payment of legal costs on the recommendation of the Court to the Legal Aid Board in certain types of litigation not covered by the civil legal aid scheme or the main

criminal legal aid scheme. A person seeking legal representation under the Scheme must notify the relevant Court at the earliest possible opportunity of their intention to apply for the Scheme's provisions. The Court will then decide if a recommendation should be made to the Board to grant legal aid. It is then a matter for the Board to decide, in accordance with the terms of the Scheme, to either grant or refuse legal aid under the Scheme.

The Criminal Assets Bureau (CAB) Ad-hoc Scheme provides for payments to be made in respect of certain legal costs in certain types of litigation on the decision of the Court. These include, but are not limited to, cases where a person is a Respondent in any court proceedings brought by the Criminal Assets Bureau under the Proceeds of Crime Act 1996, Revenue Acts and Social Welfare legislation. A person seeking legal representation under the Scheme must notify the relevant Court at the earliest possible opportunity.

Legislation providing for the transfer to the Board of the main Criminal Legal Aid Scheme is awaited.

Further details of the three ad-hoc schemes that the Board administers and the outturn for 2017 are provided later in the Report.

7. Head Office

The Board's head office is located in Cahirciveen, County Kerry. Some head office functions are carried out from Dublin.



The *Code of Practice for the Governance of State Bodies* was revised in 2016 and the Board updated its Corporate Governance Manual in November 2016, to reflect the additional requirements. The Board continues to maintain the standards of corporate governance set out in the updated *Code of Practice for the Governance of State Bodies*. This involves:

8. Corporate Governance

The Civil Legal Aid Act 1995 makes provision for the appointment of a Chairperson and 12 ordinary members to the Board. The current Board was appointed by the then Tánaiste and Minister for Justice and Equality, Frances Fitzgerald TD, on 8th November 2016. Membership of the Board is set out at page 5.

The statutory Board has responsibility for:

- the strategic direction of the organisation;
- determining policy and monitoring its implementation;
- overseeing the proper and effective management of the organisation;
- monitoring the implementation of effective financial procedures and providing accountability;
- approving and monitoring budgets; and
- making certain reserved decisions.

- at Board level, the use of seven committees to assist it in achieving its objectives and in the effective discharge of its responsibilities (see below);
- a defined division of roles between the Board, the Chairperson and the Chief Executive;
- submission to the Minister of an annual report that meets the requirements of the Code;
- an internal audit function that operates effectively and as required; and
- a code of conduct that incorporates procedures to deal with any conflict of interest issues.

In 2017, the Board held 11 Board meetings, six of which were held in Dublin, three in Cahirciveen, one in Cork and one in Galway.

Attendance at the 11 meetings in 2017 was as follows:

Member	No. of meetings	Member	No. of meetings
Mr Philip O'Leary (Chair)	11	Mr Gordon Jeyes	10
Ms Anne-Marie Blaney	10	Mr Maurice Lawlor	11
Mr Tom Brennan	10	Ms Freda McKittrick	11
Ms Deirdre Burke	8	Mr Michael O'Connell	10
Ms Nuala Egan*	9	Ms Evelyn O'Connor	11
Mr David Gilbride**	4	Ms Ellen O'Malley	11
Ms Nuala Jackson	8	Dunlop	

*Ms. Nuala Egan was appointed to the Board in February 2017

**Mr. David Gilbride resigned from the Board in July 2017

The committees of the Board met as follows in 2017

Committee	Number of Meetings
Appeal Committee	13
Audit and Risk Committee	6
Family Mediation Committee	5
Finance Committee	8
Human Resources Committee	4
Performance Committee	2
Policy and Reform Committee	4

The Board utilises an in-house corporate governance manual to provide a clear and comprehensive summary of the principal aspects of corporate governance as it affects the Board and senior management. Board members have been fully informed of their legal responsibilities and are familiar with statutory provisions relevant to their position and the key organisational issues, policies and strategies that inform their role.

The Audit and Risk Committee of the Board incorporates one independent

external member, Mr Kieran Corcoran, in line with the requirements of the Code of Practice for the Governance of State Bodies.

Payment and non-payment of fees to Board members were in line with the Code of Practice for the Governance of State Bodies.

As previously noted, the Government published an updated version of the *Code of Practice for the Governance of State Bodies* which was published in August 2016. In this regard, the

Department of Public Expenditure and Reform specified that State bodies were expected to be fully compliant in relation to financial reporting periods beginning on or after 1st September 2016.

The Legal Aid Board chose to be an early adopter of the new Code and applied its provisions in respect of its

Financial Statements for the period 1st January to the 31st December 2016.

The Code of Practice requires that an external evaluation proportionate to the size and requirements of the State body should be carried out at least every three years. In compliance with this requirement, an external review of the Legal Aid Board was commenced in the last quarter of 2017.



Chairperson's Foreword

I am pleased to present the 2017 Annual Report of the Legal Aid Board.

2017 saw significant progress in one of the Board's key objectives, namely the co-location of Family Mediation Centres with Law Centres. The Board opened its second co-located office in Dundalk, Co. Louth during the year.

At the end of the year there was progress towards co-location in four other locations. I welcome these developments, which show the ongoing commitment of the Board in making mediation a conventional rather than an alternative option of dispute resolution in the family law arena. The development of co-location is also timely given the passing of the Mediation Act 2017 which has significant provisions aimed at improving the take-up of mediation as a dispute resolution option.

I am pleased to note that there was a modest reduction in the numbers waiting for legal services at the Board's law centres at the end of 2017 compared to the start of the year. At the end of 2017 the number of persons waiting for legal services stood at 1,776. This was the fifth successive year in which there was a decrease (from over 5,000 in 2013) and the Board is committed to maintaining this positive momentum. I look forward to seeing further progress in this key performance metric.

The legal environment continues to develop in response to societal challenges. The planned reform of the law in relation to the provision of guardians-ad-litem in public law childcare cases is very welcome. I strongly support the Board's ongoing engagement with key stakeholders in the public law childcare arena to ensure that we collectively provide the best system and best outcomes for the children and families affected and I welcome any opportunity to see this replicated in the private law arena.

During 2017, the Board has taken a central role in the delivery of the Abhaile Scheme. This Scheme was set up in 2016 to address difficulties arising in relation to persons in mortgage arrears and at risk of losing their homes. 2017 was the first full year of the Scheme and in this report there is interesting data on the progress of the Scheme, particularly in relation to the issue of Personal Insolvency Review applications which were made to the Circuit Court.

The Board recognises the need to continually assess and develop how it delivers its services in order to be responsive to the changing needs of customers. In this regard, the Board commenced in 2017 a 'model' office project, which will be a centre of innovation for trialling changes in how the Board engages with its customers and with

other Justice sector bodies as well as the wider public and voluntary sector. The location chosen for this project is Kilkenny, which will develop into a co-located office during 2018. It is intended that the innovations found to work effectively in Kilkenny, will be rolled out nationally for the benefit of customers. As an organisation we need to learn to manage and innovate change in our service delivery model to ensure optimum outcomes for the service user. One other aspect of this initiative that I am keen to see developed is an improved research capability. I believe that better research can help us improve both our own services and the administration of civil justice.

The Board continues to support the delivery of the criminal legal aid schemes, in particular the Garda Station Legal Advice Scheme, the Criminal Assets Bureau Legal Aid Scheme and the Legal Aid – Custody Issues Scheme. Legislation is expected in due course to transfer responsibility for the main Criminal Legal Aid Scheme to the Board. I look forward to the publication of draft legislation in this regard.

The Board is committed to the highest standards of corporate governance. In 2017, the Board chose to be an early adopter of the updated Code of Practice for the Governance of State Bodies. At the end of the year, an external evaluation of the Board's effectiveness was commenced, and I look forward to the output of this review. Recognising that the Board has a presence in almost every county, during 2017 the Board met in Galway and Cork as well as at the Board's principal offices in Cahirciveen, Co. Kerry and in Dublin.

I wish to thank David Gilbride who stood down from the Board during 2017 for his service and wish him well in his challenging new role.

I wish to express my continuing gratitude firstly to the Board's staff for their ongoing commitment, dedication and professionalism in the delivery of services to customers and secondly to the private solicitors and barristers without whom it would not be possible to provide a meaningful service. Our aim is to provide the best outcome to the service user by the best means available and we must continually challenge ourselves in that commitment. I would also like to acknowledge the continued support of the Minister for Justice and Equality and his Department for the work of the Legal Aid Board.

Philip O'Leary
Chairperson

The Board

The Board as of 31 December 2017:

Philip O’Leary

Chairperson

Anne-Marie Blaney

Civil Servant (Staff Member)

Tom Brennan

Chartered Accountant

Deirdre Burke

Solicitor

Nuala Egan

Barrister at Law

Nuala Jackson

Senior Counsel

Gordon Jeyes

Former Chief Executive of Tusla,
the Child and Family Agency

Maurice Lawlor

Department of Social Protection

Freda McKittrick

Assistant Director, Barnardos

Michael O’Connell

Civil Servant (Staff Member)

Evelyn O’Connor

Department of Public Expenditure
and Reform

Ellen O’Malley Dunlop

Chairperson of the National
Women’s Council of Ireland

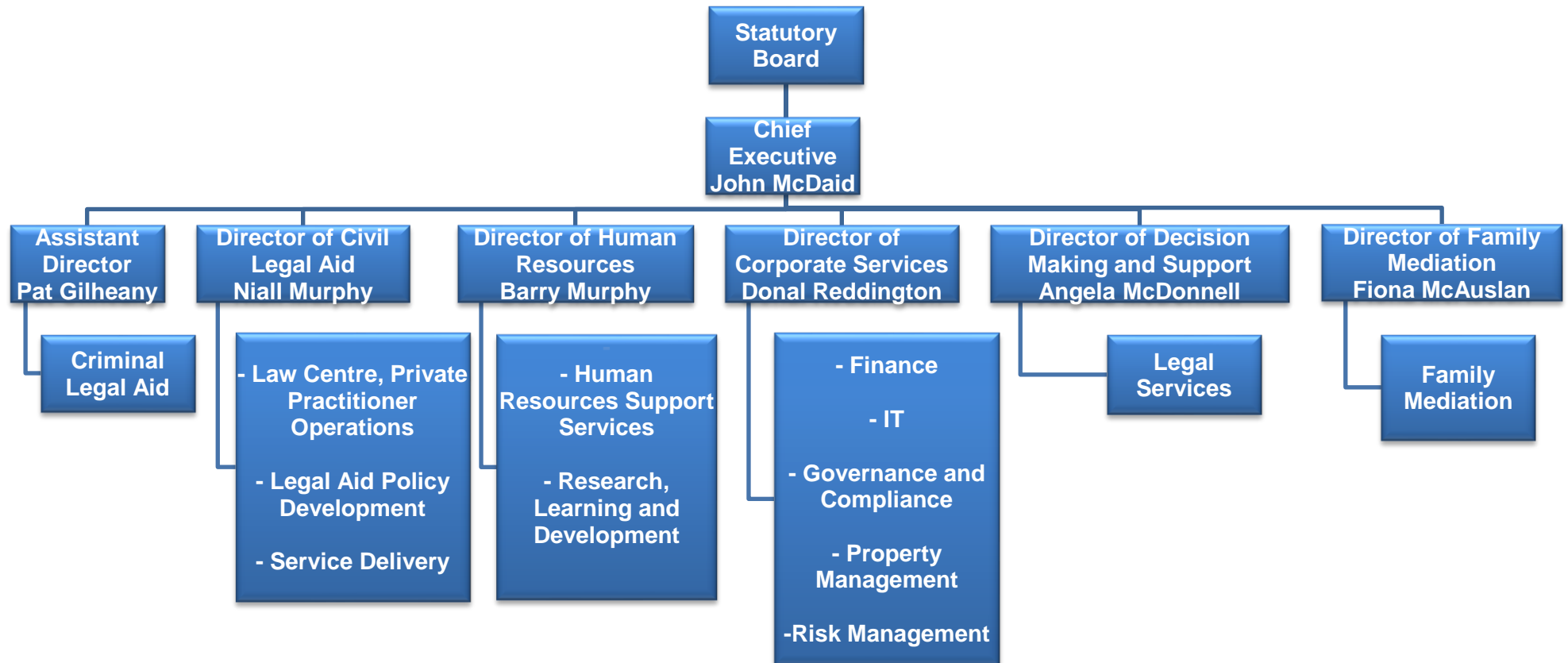
Head Office Executive Staff

Chief Executive Officer:	John McDaid
Director of Civil Legal Aid:	Niall Murphy
Director of Human Resources:	Barry Murphy
Director of Corporate Services:	Eileen Bowden/Donal Reddington*
Director of Decision Making and Support:	Angela McDonnell
Director of Family Mediation Services:	Polly Phillimore/Fiona McAuslan**
Assistant Director, Criminal Legal Aid:	Pat Gilheaney
Financial Controller:	Joan Enright
Secretary to the Board:	Mary O'Connor
Auditors:	Comptroller and Auditor General
Solicitors:	Holmes O'Malley Sexton
Head Office:	Quay St. Cahirciveen Co. Kerry Phone: 066 9471000 LoCall 1890 615200 Fax: 066 9471035
Dublin Office:	48/49 North Brunswick St George's Lane Dublin 7 Phone: 01 6469600
Website:	www.legalaidboard.ie

***Eileen Bowden** retired from the Board in July 2017. Donal Reddington started with the Board in March 2017.

****Polly Phillimore** retired from the Legal Aid Board in September 2017 and Fiona McAuslan took up position in November 2017.

Structure





Introduction by the Chief Executive

I am pleased to introduce the Board's Annual Report for 2017.

In 2017 there were just over 17,100 new applications to law centres which was an increase of just under 3% on the number of applications in 2016. The level of demand at the law centres has remained relatively stable in the last few

years though it is notable that this figure does not include demand for services on foot of the Abhaile Scheme which the Board facilitates. This Scheme involves the provision of legal advice, and in certain limited circumstances legal aid, to persons who are insolvent and at risk of losing their family home. 2017 was the first full year of its operation and as the Report notes, 1,933 vouchers were issued enabling persons facing potential repossession of their home to get legal advice from a solicitor. There were over 500 duty solicitor attendances at court repossession lists while just under 470 legal aid certificates were issued enabling mortgage debtors to appeal to the Circuit Court against the refusal of a creditor or creditors to approve a personal insolvency arrangement.

Speedy access to the Board's services and to the justice system generally, has always been a priority for the Board. As of the 31st December 2017 there were 1,776 persons waiting for legal services which was a reduction from the figure of 1,864 at the start of the year. While the reduction was relatively marginal, it nevertheless continues the trend of reduced numbers waiting for services and a key objective is to reduce the number further with a consequent reduction in waiting times. While having applicants wait for a service is clearly not ideal, there are significant numbers of situations which are either prioritised or where an applicant is effectively given an "on demand" service. Cases involving domestic violence and cases involving applications by Tusla to take children into care or under supervision are always prioritised. At the end of the year the Minister for Justice and Equality signed Regulations abolishing the financial contribution in District Court domestic violence cases which removes one potential impediment to justice in these cases.

In 2017 civil legal aid services continued to be provided using a mixed model of employed staff including solicitors in the Board's network of 30 law centres and three specialist offices, and private solicitors paid on a fee per case basis. Private solicitors are used primarily for private family law matters in the District Court and for advice and representation to persons seeking international protection from the State, in addition to the services they provide on foot of the Abhaile Scheme. In 2017 there was a 15% increase in their usage for private disputes in the District Family Court on the figure for 2016. Private solicitors are used to a lesser extent in divorce and separation cases in the Circuit Court – only 30 such cases were referred to private solicitors in 2017. The Board

continued to operate a limited scheme involving the use of private solicitors to represent parents in applications by the Child and Family Agency to have children taken into its care. This scheme operated in Counties Dublin, Donegal and Wexford and was very effective in ensuring the speedy delivery of legal services to parents in these cases.

As has been the case in every year since its inception, the majority of applicants seeking services from the Board do so in relation to a family problem. Of the 17,103 applications to law centres in 2017 approximately 68% involved a family matter (this figure excludes applications on foot of the Abhaile Scheme). This predominance of applications for legal aid or advice relating to family problems is consistent with the pattern of demand in other jurisdictions. The numbers seeking services in relation to international protection matters fell from 1,648 to a figure of 1,358. The numbers seeking the Board's services in this area of law have tended to mirror the level of demand for international protection in the State.

On the family mediation side the Board continued in 2017 to provide family mediation services in eight full time offices and nine part time offices. It opened its second co-located family mediation centre and law centre – in Dundalk, the first having been opened in Dublin city centre in 2016. At the end of the year plans were significantly advanced to co-locate in two further locations with two other locations as strong possibilities. The objective of the co-locations is to encourage more persons seeking legal services in relation to a family dispute to seek to resolve the dispute with the assistance of a mediator rather than through a court process.

In 2017 the Board reviewed pilot schemes it was operating in Cork, Athlone and Castlebar that involved requiring persons seeking legal aid for family law matters where a dependent child is involved, to attend an information session about the option of family mediation before they could be granted a legal aid certificate for court representation. The review found that the demands placed by having individual information sessions were impacting on the capacity to provide the mediation itself and thus waiting times for mediation services were getting longer. The pilot was thus suspended though in Cork it was replaced with Group information sessions which again are a mandatory pre-requisite, in certain cases, to getting legal aid for court proceedings.

The joint initiative between the Board and the Courts Service which makes family mediation freely available on site at the District Family Court in Dublin continued to operate though disappointingly the number opting for mediation dropped somewhat on the previous year. As the data shows there were 318 first joint information sessions in 2017 compared to 348 in 2016 and 407 in 2015. In 2017 there were 8,232 applications for guardianship, custody or access in the Dublin area and the Board would like to see a larger percentage of those cases opting for mediation. Efforts were ongoing at the end of the year to develop strategies for bringing more would be participants in a court process, into mediation. More modified initiatives involving the presence of mediators at the Courts remained in place in Naas, Limerick, Clonmel, Nenagh, Ennis and Dundalk.

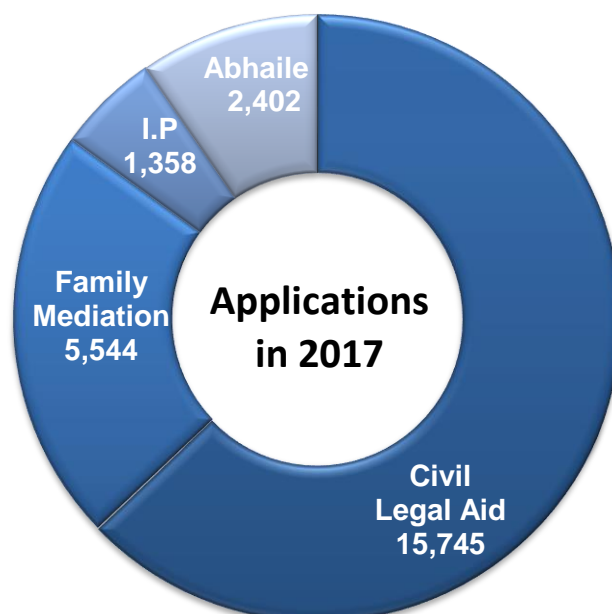
The Board continued to be responsible for the administration of three ad-hoc schemes: the Legal Aid - Custody Issues Scheme, the Garda Station Legal Advice Revised Scheme and the Criminal Assets Bureau Legal Aid Scheme. The transfer of responsibility for the administration of the main criminal legal aid scheme requires a legislative intervention which has yet to be enacted.

I want to acknowledge the contribution of our staff. I have consistently sought to convey two essential messages internally. The first is that the client must be at the centre of all our decision making and the second is that staff are the Board's greatest resource. Without the commitment of staff, their resilience and their willingness to learn and develop, often to cope with change, the Board simply would not be able to do its work. I also must recognise and acknowledge the contribution of the private solicitors and barristers whose work is critical to the provision of civil legal aid.

Finally I wish to express thanks to the Minister for Justice and Equality, and the Acting Secretary General of the Department and her staff for their ongoing engagement and support.

John McDaid
Chief Executive

Key Developments in 2017



- ✓ There were **25,049** applications made in 2017 of which **15,745** were for civil legal aid, **1,358** for international protection and **2,402** related to the Abhaile Scheme. **5,544** persons applied for family mediation services.

- ✓ **The number of persons waiting for legal services continued to fall.** There were **1,776** waiting at the end of the year, a further **reduction** from 2016 and a decrease for the 5th successive year, down from over 5,000 in 2013.



- ✓ During 2017, the Board processed 4,125 claims in respect of over 8,700 Garda Station detainee consultations and almost 8,900 hours for attendance at interview.
- ✓ Applications under the Abhaile scheme increased from 523 in 2016 to **2402** in 2017.

Services Provided in 2017

The extended remit of the Legal Aid Board means that services are provided by the Board in the following areas:

- General Civil Legal Aid**
- Abhaile – Free Mortgage Arrears Support**
- International Protection Services**
- Family Mediation**
- Criminal Legal Aid**

Civil Legal Aid

Demand for the service

17,103 applicants sought civil legal aid services from the Board’s law centres in 2017 with 15,745 of these relating to matters other than international protection. The type of problems for which the Board provides legal services extends to most areas of civil law although in 2017, as has been the case since the Board’s inception in 1980, the majority of applicants sought services in relation to family problems.

The total number of cases in which legal services were provided through the Board’s law centre network in 2017 was in the region of 18,170. The following Table 1 gives the number of persons who applied for services to the Board’s law centres in 2017 and the five previous years.

Table 1 - Number of applications 2012-2017

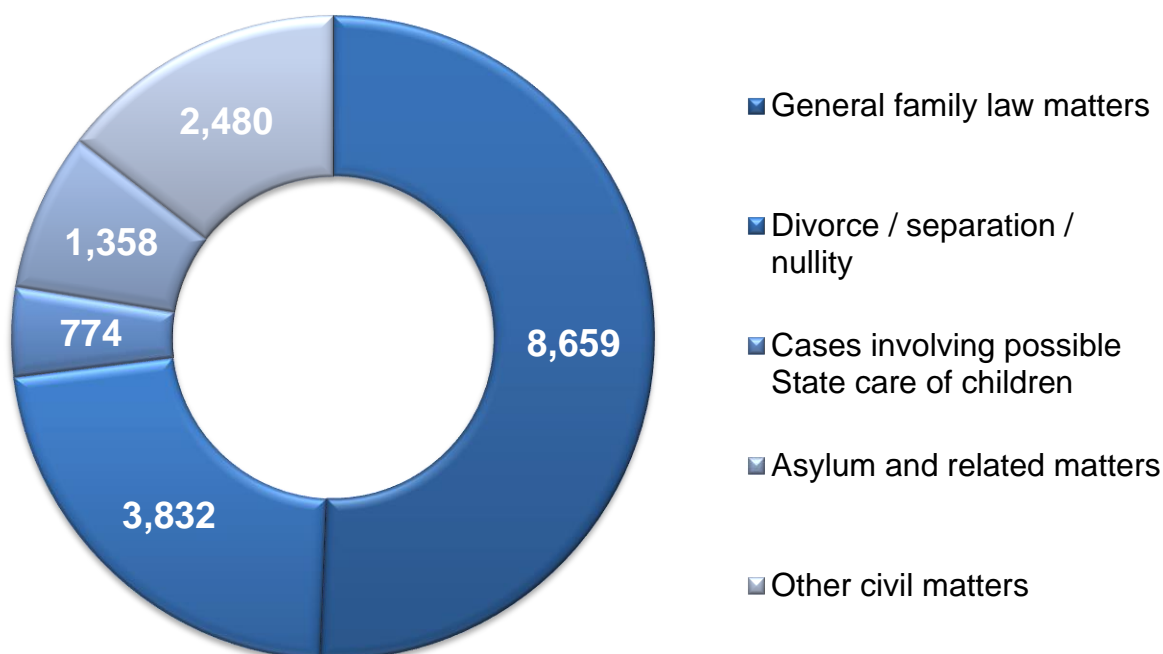
Year	2012	2013	2014	2015	2016	2017
General	16,870	16,851	15,531	15,256	14,991	15,745
Asylum and related matters	725	708	902	1,537	1,658	1,358
Total	17,595	17,559	16,433	16,793	16,649	17,103

It should be noted that not every applicant is provided with legal services. A number of applicants do not pursue

their application when they are offered an appointment.

Chart 1 gives the approximate breakdown of applications by case type.

Chart 1 - Number of applications by case type 2017



Law Centres

Legal aid and advice was provided through the Board’s law centres in over 18,170 cases in 2017. Table 2 provides information on case numbers in law centres. It should be noted that the 2017

figure includes for the first time persons provided services in relation to applications for international protection in the State and is not directly comparable with previous years.

Table 2 - Cases handled in law centres

Year	2012	2013	2014	2015	2016	2017*
Total	17,652	17,304	18,338	17,959	17,213	18,170

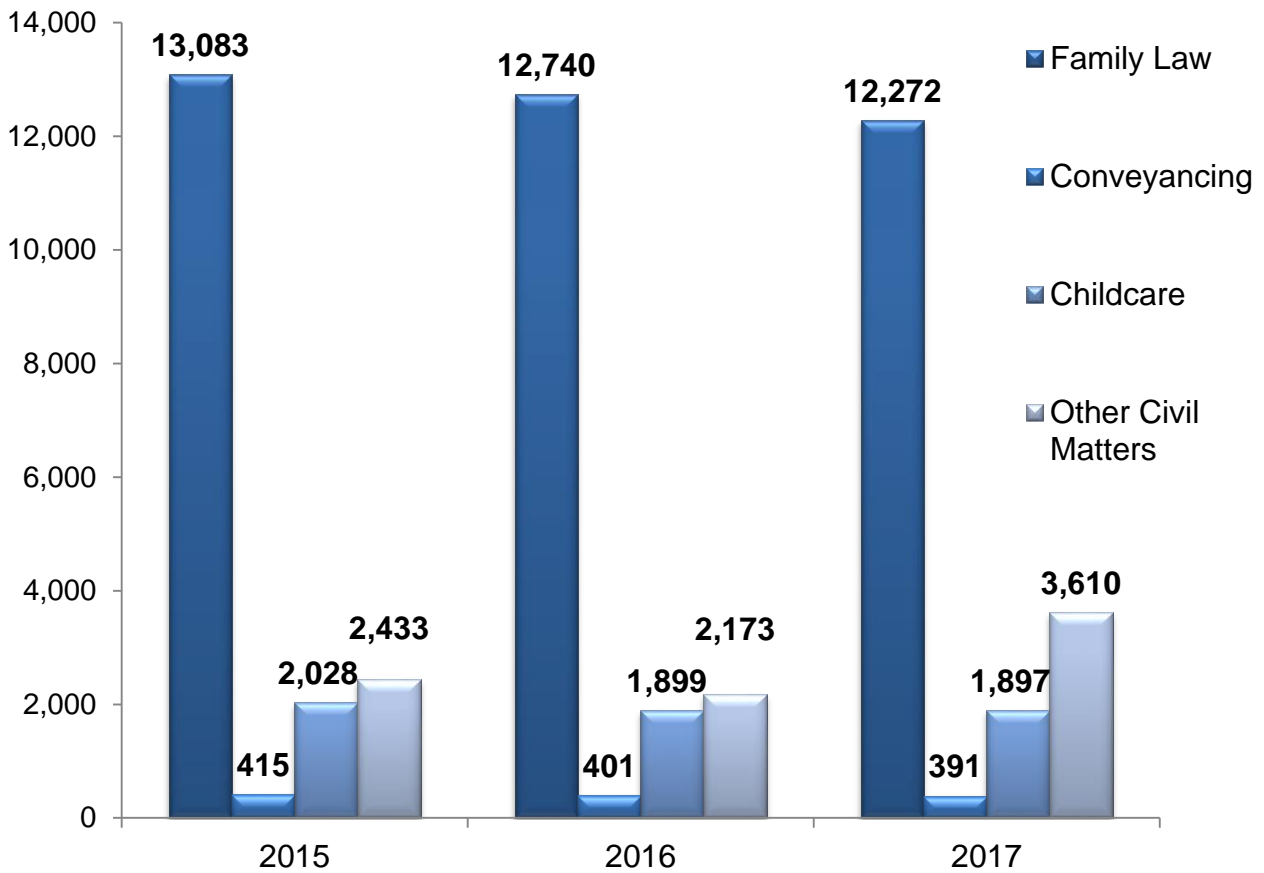
*Including international protection cases

Legal aid and advice cases

Chart 2 below highlights that family law continues to constitute the predominant area where the Board provides legal services. Of the cases handled in 2017,

68% were in the private family law area and 78% of the cases related to family law generally.

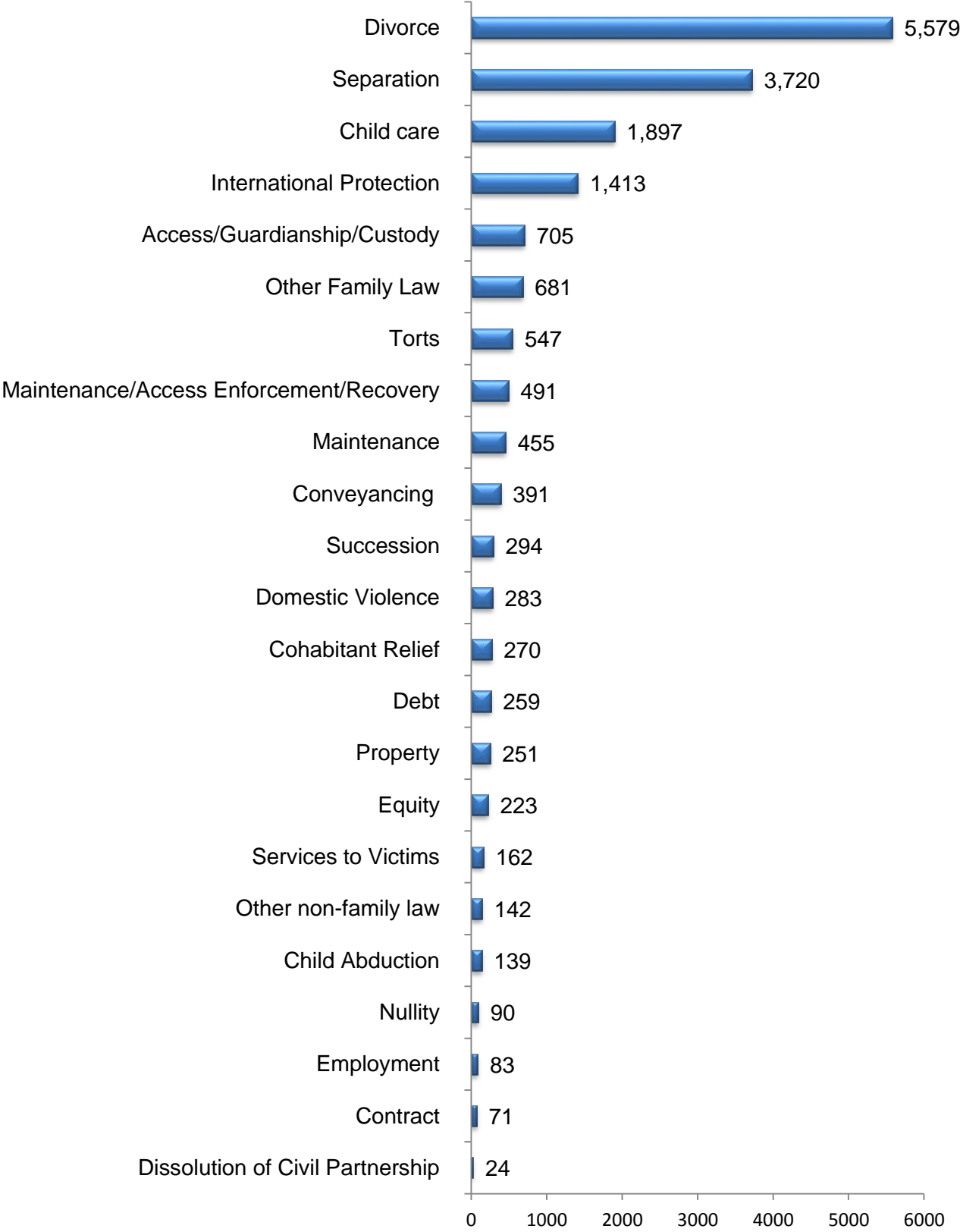
Chart 2 - Cases 2015-2017



A more detailed breakdown of the main issues in respect of which legal services were provided in 2017 is provided in Chart 3. It is likely that in relation to a significant number of separation and divorce cases, advice was also given on matters such as maintenance, domestic violence, and child welfare. Such additional advices are not separately recorded in the above figures. In addition

it should be noted that applicants often apply for legal services in relation to, for example, both domestic violence and custody/access, or custody/access and maintenance. For the purposes of this chart a client in receipt of aid or advice for multiple family law issues has been categorised in relation to the principal matter for which they obtained legal services.

Chart 3 - Cases by subject matter 2017



Case turnover

Table 3 below sets out the number of new cases taken on in the law centre network. The 2017 figure includes

international protection cases (which had been excluded from this figure in previous years).

Table 3 - New cases in law centres (excludes international protection)

Year	2012	2013	2014	2015	2016	2017
New Cases	5,831	6,650	6,300	6,264	6,119	6,299*

*includes international protection cases

Duration of cases

Table 4 below provides an age profile of cases in which legal services were provided by law centres in 2017. The year indicates when the application for

legal services was first made. It should be noted that there may have been a time delay in the person getting a first appointment with a solicitor.

Table 4 - Cases handled in 2017; year of application

Year	Pre-2013	2013	2014	2015	2016	2017
Number	1,992	1,210	1,661	2,600	4,733	5,974

Cases completed

Of the 18,170 cases handled in the law centres in 2017, 6,052 (33%) were completed by the end of the year. Table

5 below shows how this number compares with the number of completed cases in other recent years.

Table 5 - Numbers of cases closed

Year	2013	2014	2015	2016	2017
Cases Closed	4,910	5,757	6,059	5,699	6,052

Table 6 gives an age profile of those cases closed in 2017 by subject matter.

Table 6 - Cases completed in 2017; length of time open

Case Type	<1 Year	1-2 Year	2-3 Years	3+ Years	Total
International protection	152	0	0	0	152
Child care	290	165	80	122	657
Divorce/ separation/ nullity	706	640	473	1,167	2,986
Non-family law	493	238	101	144	976
Other family law	711	290	96	184	1,281
Totals	2,352	1,333	750	1,617	6,052

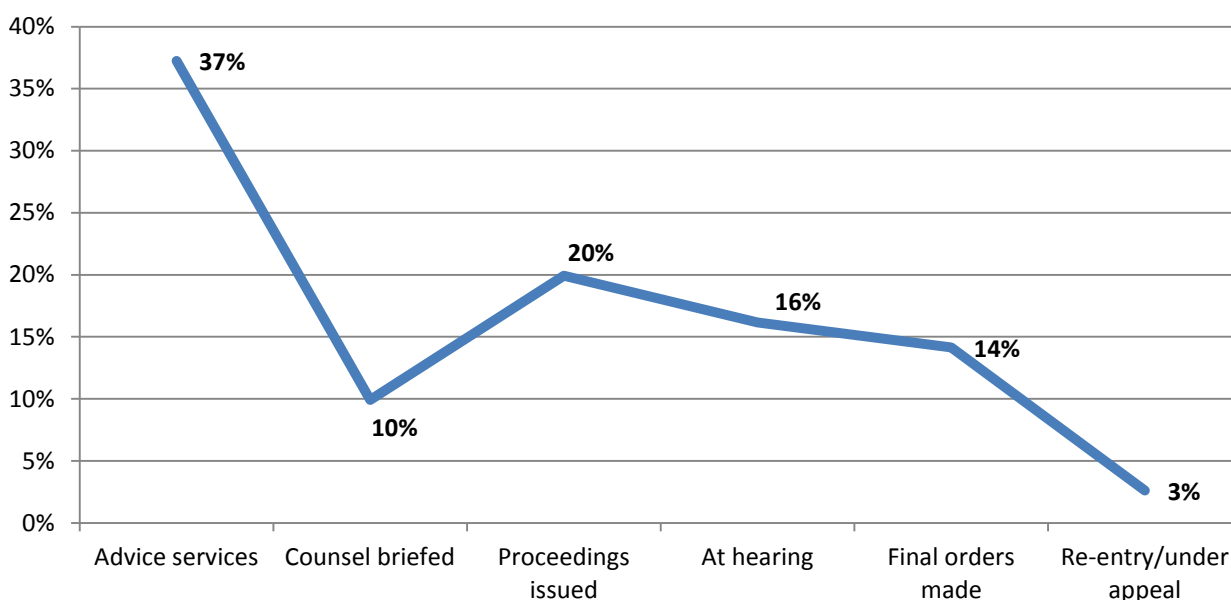
It can be seen from Table 6 that divorce, separation and nullity cases generally take longer to reach completion than most other family law matters. Approximately 49% of divorce,

separation and nullity cases completed in 2017 had been ongoing for longer than three years, compared to 11% of childcare cases and 21% of other family law matters.

Cases on Hand

Chart 4 below gives the status of all of the Board’s active cases as of the 31st December 2017.

Chart 4 – Case active as at 31 December 2017



This type of information helps the Board in monitoring the progress of cases through the court process.

Use of Solicitors Panels

Private solicitors are engaged by the Board to provide legal aid services to complement the service provided by law centres. Private solicitors are currently used for certain family law matters in the District Court (such as domestic violence, maintenance, guardianship and custody / access cases). The panel for involving private solicitors in divorce and separation matters in the Circuit Court was restarted on a very limited basis in late 2015 following on from additional funding being provided. In 2017 30 cases were referred to private practitioners under this scheme.

Furthermore, the Board continued with a limited pilot involving private solicitors in cases involving applications by the State (Child and Family Agency) to take children into care. 98 such cases were referred to private solicitors in 2017.

A breakdown is given in Table 7 of the number of legal aid certificates granted to enable representation to be provided in the District and Circuit Courts by solicitors in private practice who are on the Board's panels.

Table 7 - The number of new cases in which private solicitors provided representation

Year	2012	2013	2014	2015	2016	2017
District Court private family law	5,077	5,640	5,224	5,351	5,208	6,002
District Court Childcare (pilot Project)	N/A	N/A	7	106	103	88
Circuit Court	5	0	10	77	89	30
Abhaile consultations					429	1,933
Circuit Court PIA reviews					94	469
Total	5,082	5,640	5,241	5,534	5,923	8,532

Fees paid to private solicitors for private District Court family law cases are generally 10-15% of the fee payable for Circuit Court cases.

Timeliness of the service

There has been significant pressure on waiting times for legal services almost since the Board first started providing legal services. The reduction in demand from a peak in 2011 has been of some assistance in lessening the pressure. 2017 saw a small reduction in the numbers of applicants waiting and a reduction in waiting times at most law

centres. The numbers waiting for a substantive service as of the end of the year was 88 less than it was at the start of 2017 as is evidenced by the figures in Table 8. Table 8 sets out the number of persons waiting on the 31st December 2017 and on the same date in the previous four years, for legal services with a solicitor.

Table 8 – The number of persons waiting on the 31st December 2017

Year	2013	2014	2015	2016	2017
Number Waiting	5,067	3,412	2,319	1,864	1,776

A number of initiatives have been introduced or maintained to seek to minimise the impact of waiting times on applicants. The most significant of these has been the continuation of the 'triage' approach in a number of law centres. The aim of the triage approach is to ensure that all applicants get some level of legal advice in a timely fashion. The model is that if an applicant is unlikely to get a full legal service within four months of applying, s/he should get a preliminary or 'triage' appointment with a solicitor within six weeks. The model is not always applied if it is considered that a temporary issue has given rise to lengthening waiting times and the prognosis is that the waiting time will be reduced within a relatively short period of time. This service has now ceased in the majority of locations as waiting times fell below four months

and is now in use in approximately one-third of the Board's law centres. Of the 1,776 persons who were waiting for services on the 31st December 2017, 255 had had a first or 'triage' consultation with a solicitor.

The re-introduction of the Circuit Court private family law solicitors' panel at the end of 2015 contributed to efforts to reduce waiting times at certain locations.

The maximum waiting time in weeks, as of the 31st December 2017 is set out for the various law centres in Table 9 below. It must be emphasised that this table gives a snapshot of waiting times at a particular point in time. Waiting times will go up and down depending on demand and on the capacity of each law centre to offer appointments to new clients.

Table 9 – Waiting times in Law Centres on the 31st December 2017

Law Centre	General – Law centres not operating triage	Waiting time for a triage appointment	Further waiting time where triage appointment previously given
Athlone		8	17
Blanchardstown	8		
Castlebar	10		
Cavan	9		
Clondalkin	25		
Cork-Popes Quay	20		
Cork-South Mall		23	18
Dundalk	16		
Ennis		17	20
Finglas	16		
Galway - Francis St	22		
Galway - Seville House		8	7
Jervis St		5	26
Kilkenny	13		
Letterkenny	12		
Limerick	16		
Longford		20	15
Monaghan	22		
Navan		24	4
Nenagh		18	0
Newbridge	17		
Portlaoise	19		
Sligo	9		
Smithfield		14	1
Tallaght		21	9
Tralee	34		
Tullamore	5		
Waterford	10		
Wexford	26		
Wicklow	12		

Priority Service

The Board continued to provide a priority service where it considered that an immediate, or near immediate, service was needed. In 2017 approximately 27% of first appointments were for prioritised matters. These included cases of domestic violence, child abduction, cases involving applications by the State

to take children into care, and cases that had statutory time limits close to expiry. In addition to the cases given priority in the law centres, most of the cases referred out to solicitors on the Board’s private practitioner panels were referred immediately or shortly after the person had applied for legal aid.

Family Law Case Study

A client applied to a Law Centre seeking legal aid for a divorce. There were three children of the marriage who were residing with the client in the family home. The family home was in joint names and subject to a mortgage. The parties built the family home on a site they received from a relation of the client's. The client was discharging the mortgage, there were no arrears and there was equity in the property. The mortgage lender indicated to the applicant that they would facilitate re-mortgage to her sole name. The client was advised about relationship counselling and mediation.

The parties attended mediation which was successful, and ultimately facilitated a consent Divorce. The Divorce provided that the family home would be transferred into the client's sole name, that she would be responsible for the mortgage, that she would retain her pension, and that certain Maintenance Orders would be discharged. The client's husband had been able to secure suitable accommodation for himself and both parties were able to agree arrangements in relation to care and contact with the children. Both parties were satisfied with the outcome, having had the opportunity to discuss and reflect on matters fully in mediation.

Abhaile – Free Mortgage Arrears Support

During 2017 the Board continued its involvement in the Abhaile Scheme, the Government's scheme of financial and legal assistance for insolvent persons who are in danger of having their home repossessed. Other organisations involved in the provision of services are MABS National Development CLG and local Money Advice and Budgeting Services, the Insolvency Service of Ireland, and the Citizens Information Board.

The scheme works on the basis that a person applies to their local MABS service who will "triage" the person and identify the financial and/or legal services the person requires. The financial assistance element of the scheme involves the provision of services by a dedicated MABS mortgage arrears advisor, a personal insolvency practitioner, or an accountant. The legal assistance element, which normally follows on from financial assistance, involves three strands:

- A solicitor consultation service, involving the provision of a single legal advice consultation. In certain circumstances authority might be granted to conduct negotiations to settle pending repossession proceedings
- A "duty solicitor" service, where solicitors are rostered to attend

repossession lists at county registrar's courts. The solicitor may offer advice on the court procedure to the person and may (if permitted by the County Registrar) speak on behalf of the person and make an application for the proceedings to be adjourned so that the person can seek legal representation.

- A scheme of legal aid for applications to take a court review of a personal insolvency arrangement (PIA) that has been rejected by a person's creditors.

Services, other than the PIA court review service are granted by way of a voucher issued by MABS. In the case of the PIA review legal aid service an application for legal aid is made to the Board. There is no means test for any Abhaile service but the merits criteria under the Civil Legal Aid Act 1995 applies to the PIA review legal aid service. No contribution towards services is payable. A panel of private solicitors has been put in place to deliver each of the services.

2017 marked the first full calendar year of Abhaile, which is intended to run for a three year period. Services provided on behalf of the Board under the scheme are outlined in Table 10 below.

Table 10 – Services provided under Abhaile

Year	2016	2017
Number of legal advice vouchers issued by MABS*	429	1,933
Number of duty solicitor days rostered	139	507
Legal aid certificates granted for PIA court reviews	94	469

International Protection Services

International Protection Services

The number of persons seeking legal services from the Board for international protection applications in 2017 was 1,358. This was a decrease of 18% on the previous year. Services in international protection and related matters are provided in three of the Board's law centres, namely Smithfield (Dublin), Pope's Quay (Cork) and Seville

House (Galway) and also by private solicitors on a panel. Table 11 shows the number of new applications for legal services from the Board for international protection matters and also the number of persons who sought protection in the State from the Minister for Justice and Equality.

Table 11 - International protection applications

Year	2011	2012	2013	2014	2015	2016	2017
LAB Applications	979	725	708	902	1,537	1,658	1,358
International Protection Office (IPO) Applications	1,290	956	946	1,448	3,276	2,244	2,406

International Protection and Children

The Board continued to have a dedicated Children's Unit located in Dublin to handle international protection applications by unaccompanied minors. Staff in the Unit have relevant specialised training. The Unit has well-developed interagency relationships with the International Protection Office

and the Child and Family Agency with whom regular meetings take place to deal with issues of mutual interest. In addition to preparing pre-interview submissions for separated children, the Unit also provides these clients with legal services in relation to family tracing and family re-unification.

Human trafficking

The Board provides legal services on certain matters to persons identified by the Garda National Immigration Bureau (GNIB) as potential victims of human trafficking under the Criminal Law (Human Trafficking) Act 2008.

There is no requirement to satisfy the Board's financial eligibility or merits

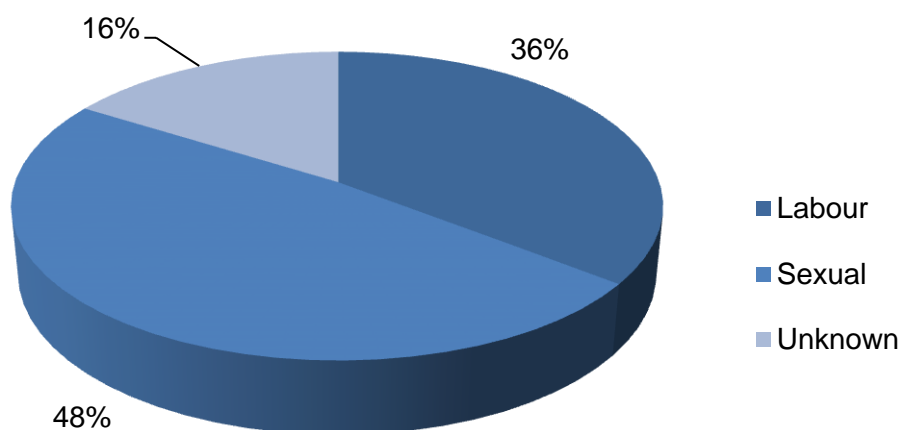
criteria for these cases and a potential victim of human trafficking is not required to make a financial contribution to the Board. The service is provided by Board employees who have received specialised training in human trafficking issues.

The Board provides legal services to persons identified as potential victims of human trafficking on their rights in relation to a range of issues including their status in the State, seeking international protection, seeking redress through the employment protection legislation (legal advice only), information on what is involved in a criminal trial, information on compensation, information on voluntary return home. The Board also provide

representation in court in a criminal trial where a victim’s past sexual history is raised.

During 2017, 31 potential victims of human trafficking referred to the Board by An Garda Síochána applied for legal services in 2017, 15 of whom were referred in relation to sexual exploitation; 11 in relation to labour exploitation, and 5 unknown.

Chart 5 - Human trafficking cases referred to the Board during 2017



The Refugee Documentation Centre

The Refugee Documentation Centre (RDC) is an independent service operating under the aegis of the Board. The main role of the Centre is to provide an objective research and query service for key organisations involved in the international protection process, with a particular focus on providing Country of

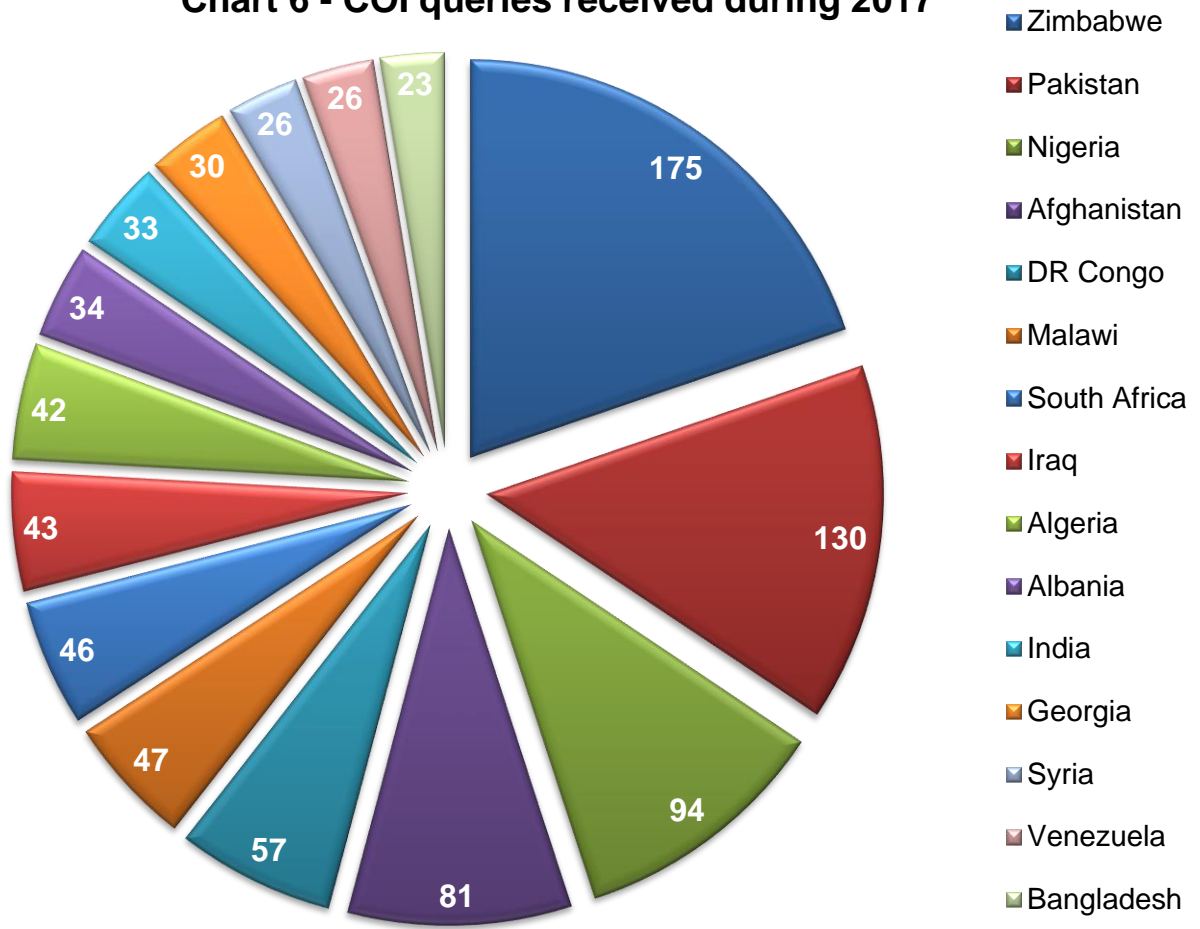
Origin information (COI). Members of the public and other agencies may also use the RDC to conduct their own research.

In 2017, the RDC received 1,389 COI queries, a 37% increase in COI queries received on 2016. The RDC query service provided a total of 1,131 query

responses, an increase on the 2016 figure. The unit also operates an interagency library service and provides a legal research function for staff of the Board. Approximately 70% of queries related to COI, with the remaining 30% split between legal and library queries.

The main countries subject to COI queries are set out in Chart 6 below which shows countries with more than 20 queries representing 79% of all COI queries. The country which gave rise to the largest single number of queries in 2017 was Zimbabwe followed by Pakistan.

Chart 6 - COI queries received during 2017



A brief sample of the type of information sought in the queries received is set out below:

- Activities of ISIS in Syria and Iraq
- Mistreatment of LGBT in Zimbabwe
- Freedom of religion and freedom of expression in Malaysia
- Victims of forced marriage in Pakistan

- Discrimination against people with HIV in Malawi
- The Awami League in Bangladesh
- Treatment of failed asylum seekers in Ghana
- The Hazara people in Afghanistan
- Criminal gangs in Ukraine
- Gender violence in Albania and the police response
- Treatment of converts to Christianity in Iran
- M23 rebels in the Democratic Republic of the Congo

The RDC continued to work closely with the International Protection Office and other users of its services in 2017 with a view to strengthening co-operation and meeting the various needs of its users.

There are now a total of 37 Country Marriage Packs, 28 Country Adoption Packs and 40 Country Information Packs. There are approximately 80 'mini' Country information packs which were prepared in response to demand from IPO regarding SP issues. All packs are catalogued and available on the E-Library and will be reviewed and updated in 2018.

International protection Case Study

Legal services were provided to a client in his late 50s from West Africa. He was detained by the authorities because of his political activities. He was kept in prison without charge for over one year in sub-human conditions and regularly tortured by the authorities. He was beaten, his legs broken and he was denied essential medical treatment. The cells were overcrowded and very little food or water was provided. He was released on conditions but managed to flee the country.

The client arrived in Ireland and claimed international protection. He then immediately registered for legal services with the Board. He met a caseworker who on account of his vulnerability, assisted him in completing his international protection questionnaire, which must be submitted by all applicants for international protection. Medico legal reports were obtained as supporting evidence.

Country of origin information was obtained from the Refugee Documentation Centre. Legal submissions were prepared and the supporting country of origin information was submitted to the International Protection Office, along with a medico-legal report detailing the torture suffered by the client. The client was then scheduled for an interview with the International Protection Office. The client met his solicitor for pre interview advice. He attended the interview and, a few weeks later, he received a positive recommendation, declaring that he was in need of international protection and that he should be declared a refugee.

Family Mediation

Service description

Family mediation services help couples who have decided to separate or divorce, who have already separated, or who have never lived together but are the parents of a child, to negotiate their own terms of agreement, taking into account the needs and interests of all involved. The mediator's role is not to come up with answers but to facilitate the parties in dispute to come up with their own solutions. In certain circumstances, mediation can also assist in disputes within families. Mediation has been provided in disputes involving siblings, parent-child, care of elderly relatives and other family matters.

Narrative on services

In 2017 there were sixteen general family mediation offices in total, with Kilkenny due to open in February 2018 and the office in Raheny due to close in April 2018. Two of these 16 offices are co-located with Law Centres in Jervis House in Dublin city centre and in Dundalk. The service also has one full time court based service in the District Family Court in Dublin (Dolphin House).

There were seven part time court based services in the following locations - Clonmel, Naas, Ennis, Dundalk, Limerick and Nenagh. A mediator is present in the Court building on the day of the family law sittings.

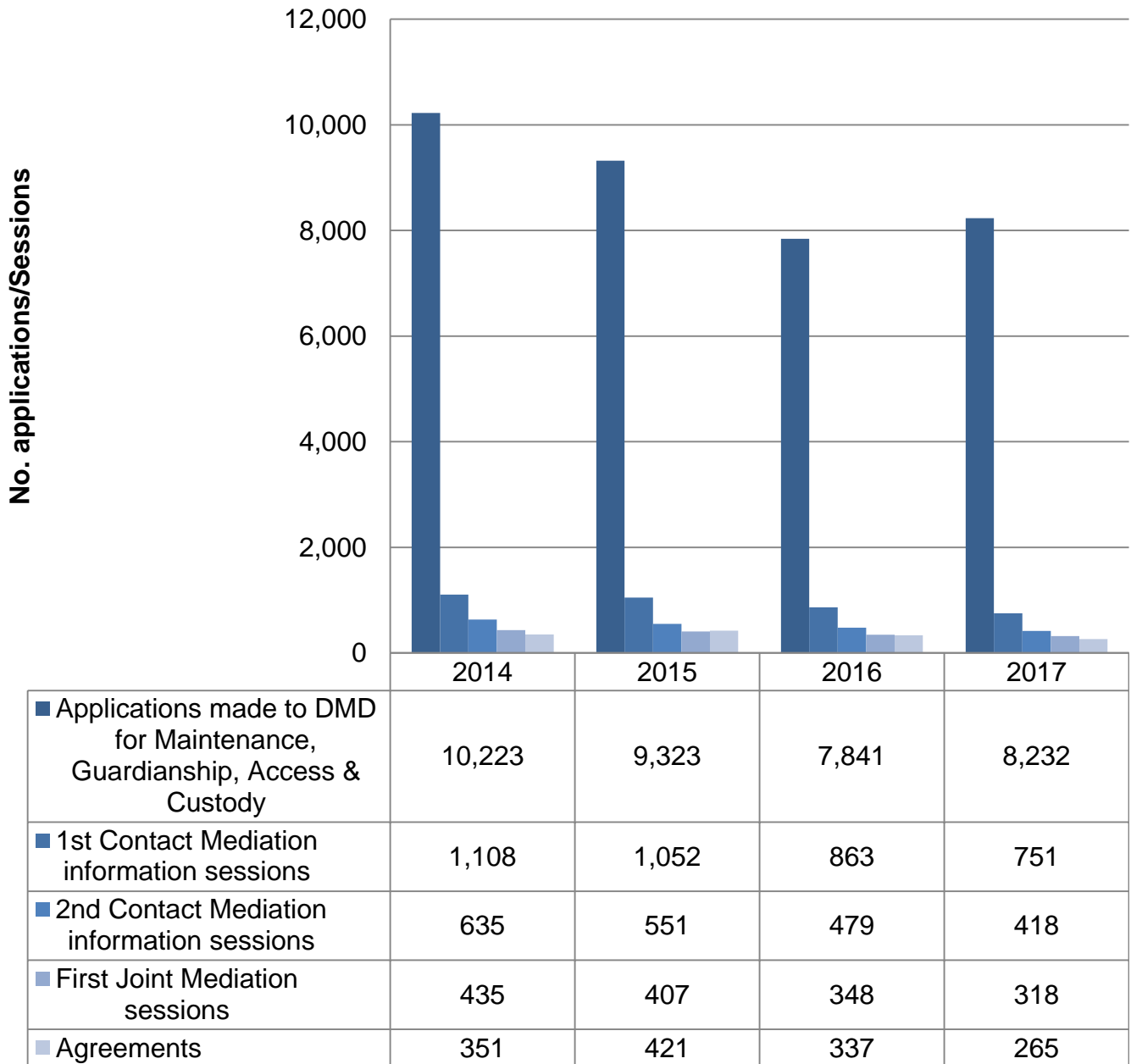
Table 12 - Family mediation services provided in 2017 by centre

Statistical Information for Family Mediation Service Jan-Dec 2017						
2017	1st Registration	Confirmed Couples	First Sessions	Second Plus Sessions	No of FTE Medi ators	No of Mediation Days per office per month
Athlone	164	83	58	272	1.2	16
Blanchardstown	351	198	267	827	2	32
Castlebar	100	44	56	111	0.6	8
Cork	339	129	155	509	2.3	40
Dundalk	114	52	56	237	0.4	12
Galway	338	192	201	720	2	24
Jervis House	409	240	264	798	1.8	42
Letterkenny	117	76	57	200	0.4	8
Limerick	212	156	163	504	1.4	20
Portlaoise	142	76	99	239	0.6	10
Raheny	207	125	152	519	1	20
Sligo	79	60	53	151	0.4	8
Tallaght	302	178	208	763	1.7	32
Tralee	114	89	87	242	0.6	12
Waterford	171	126	58	207	0.4	8
Wexford	189	87	112	421	0.3	16
TOTAL	3,348	1,911	2,046	6,720		308

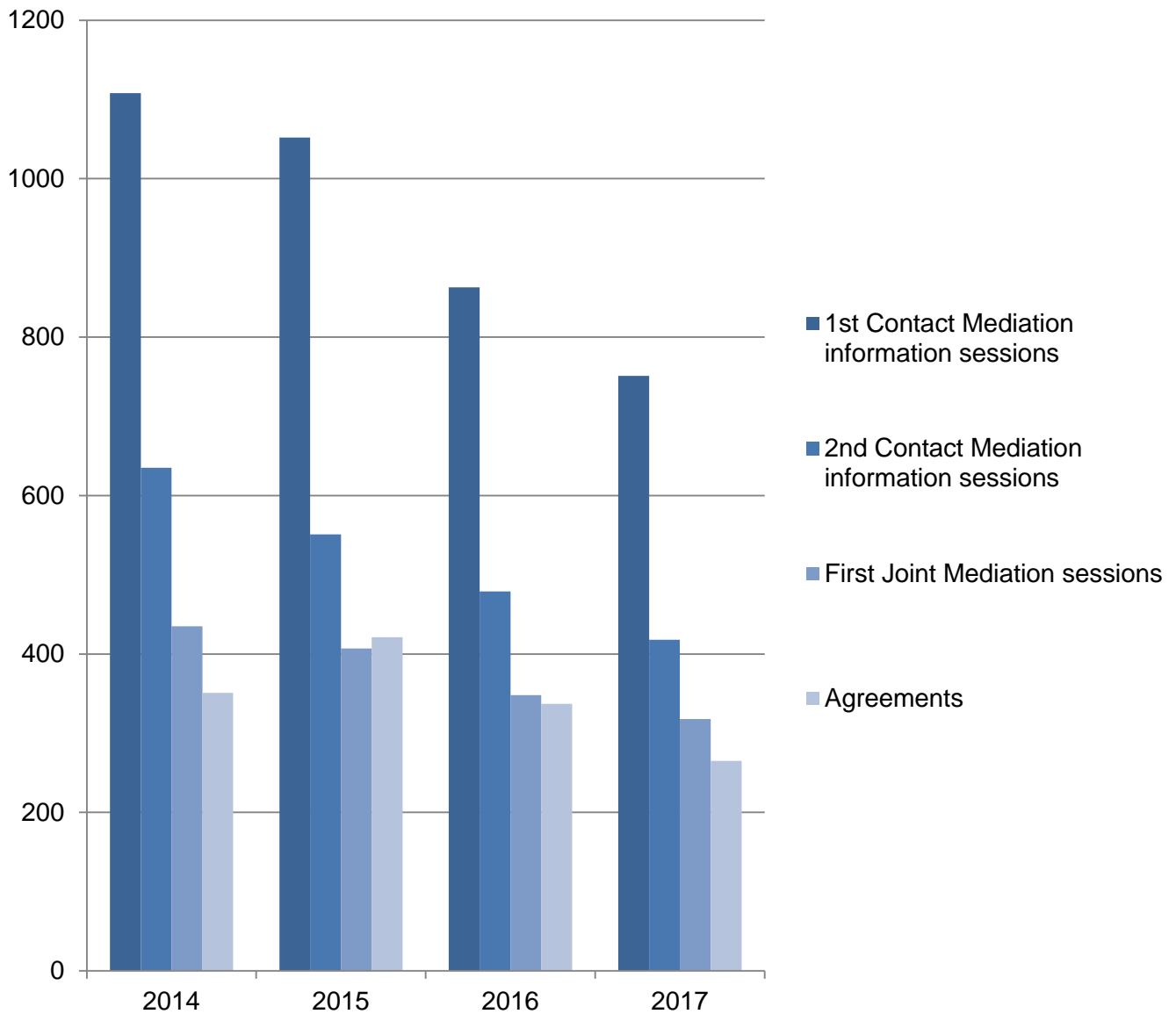
Operation of court related mediation - Dolphin House

Charts 7 and 8 give an overview of the statistics for the service for the four years from 2014 to 2017.

Chart 7 - Dolphin House Courts & Mediation 2014 to 2017



**Chart 8 - Dolphin House (Dublin District Family Court)
information sessions and agreements**



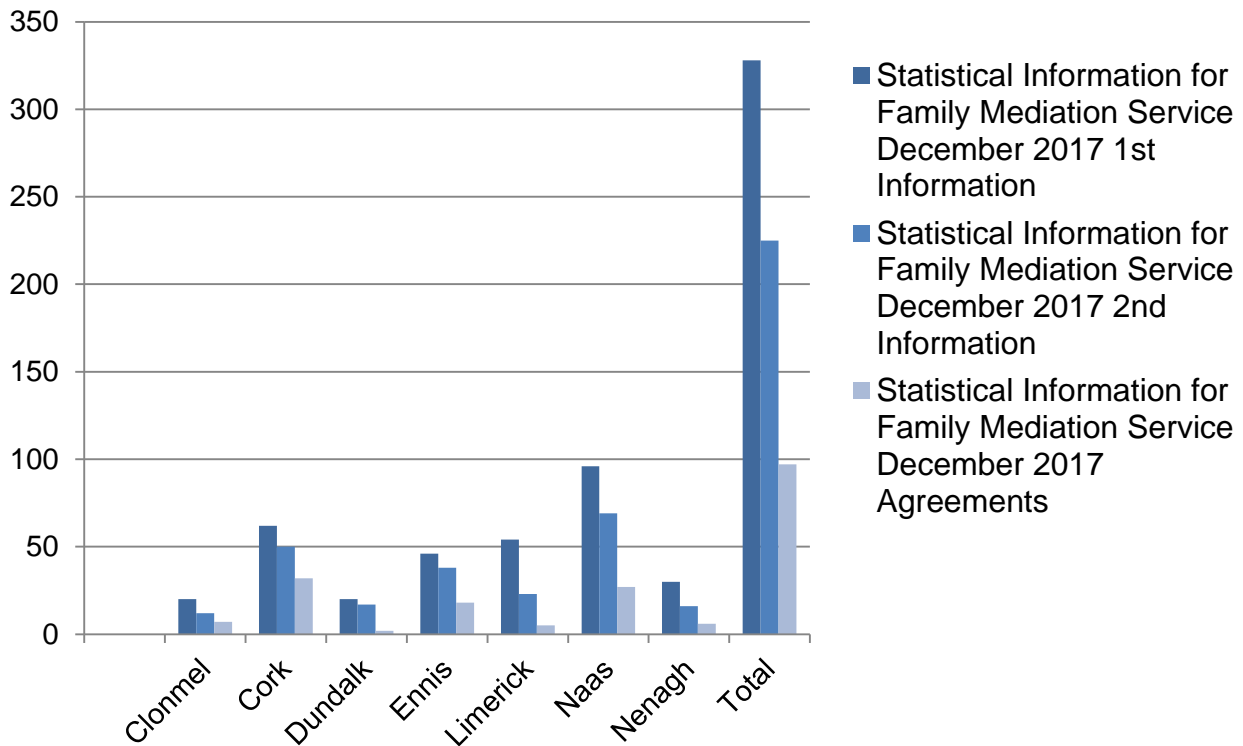
The number of 1st information sessions has dropped from 1,108 in 2014 to 751 in 2017. To some extent this mirrors a drop in applications made to the Dublin District Court from 10,223 in 2014 to 8,323 in 2017. Analysis was being

undertaken to try and understand the reasons for the relatively low take up of mediation and the options that might be available to improve that take-up.

Table 13 - Other Court located family mediation services

Statistical Information for Court initiated family mediation			
	1st Information	2nd Information	Agreements
Clonmel	20	12	7
Cork	62	50	32
Dundalk	20	17	2
Ennis	46	38	18
Limerick	54	23	5
Naas	96	69	27
Nenagh	30	16	6
Total	328	225	97

Chart 9-Court located mediation information sessions and agreements (excluding Dolphin House)



Mandatory Information Projects

One to one mandatory information sessions were piloted in Castlebar, Athlone and Cork between 2014 and 2017. The mandatory aspect was that applicants for certain types of case could not get a legal aid certificate for legal representation in court until such time as they had attended the family mediation office for an information session about mediation as an alternative to going to court. These one to one sessions were suspended towards the end of 2017 following review, as one consequence was that they were increasing waiting times for mediation itself.

Group Information Sessions were then developed as a pilot in Cork commencing in December 2017. The Board will review this project at the end of 2018. Group information sessions are provided to some law centre clients as a mandatory

Co-Location of the Law Centre and Family Mediation office

This first co-location referral initiative commenced in Jervis House in the autumn of 2016. Protocols have been put in place to try and facilitate a greater take-up of mediation on account of the

requirement. Applicants for legal aid for certain private family law matter who have a dependent child are required to attend an information session in relation to alternatives to the court process, including mediation, before they can be granted a legal aid certificate for the purpose of court proceedings. Specifically, applicants for a District Court matter in District Court Area 19 (Cork city) are required to attend, along with all applicants for Circuit Court matters. District Court applicants outside Area 19 are not required to attend but may if they so choose. Applicants are not required to attend if the matter is to proceed by way of consent or if there are no issues in dispute.

co-location. This will continue to be monitored, and changes made to procedures as considered necessary.

Waiting times

Table 14 shows the comparative waiting times at the end of 2012, 2013, 2014, 2015, 2016 and 2017 as follows:

Table 14 - Comparative waiting times by centre 2012-2017

Centre	Waiting Times End 2012	Waiting Times End 2013	Waiting Times End 2014	Waiting Times End 2015	Waiting Times End 2016	Waiting Times End 2017
Jervis House	12	12	18	4	12	16
Blanchardstown	12	12	12	8	16	8
Raheny	12	8	12	8	16	4
Tallaght	12	12	14	12	8	14
Athlone	8	8	12	8	12	24
Castlebar	8	12	4	8	12	12
Cork	20	12	22	12	12	24
Dundalk	12	4	8	4	12	20
Galway	12	12	12	8	4	16
Letterkenny	8	12	8	8	4	16
Limerick	12	16	8	16	12	6
Portlaoise	8	16	12	12	12	14
Sligo	12	8	8	4	4	12
Tralee	8	12	12	8	20	12
Waterford	8	8	12	8	12	32
Wexford	12	12	12	12	8	12

During 2017 certain changes were made and it is anticipated that subject to demand for mediation services not increasing substantially, the waiting times for mediation services will improve in 2018.

Kilkenny Project

On foot of a 'Vision and Change' Initiative which was an engagement with staff in relation to what the organisation should look like and how the customer would be best served, the Board took an existing office to trial a number of ideas and suggestions with a view to replicating successful actions across the Board's network of offices. One reason for

choosing Kilkenny was the likelihood that by the beginning of 2018 the Board would be able to establish an adjacent mediation presence. Academic involvement with this project is being actively pursued, as it is felt that this involvement will inform the Board on how it can apply best practices in civil dispute resolution.

Family Mediation Case Study

A woman contacted the Family Mediation Office urgently seeking mediation. After a recent separation she had planned to return to her country of origin with her children. The arrangement had originally been with the consent of her husband. He had since changed his mind and withdrawn consent. At the time of contact the Family Mediation Service, the woman was extremely distressed. The Family Mediation Office staff recommended that she also seek legal advice and the client did so at a Law Centre.

Following the intake process the conversation centred around the woman's plans to move abroad. Questions were used to focus on the children's situations e.g. how each child was dealing with and feeling about the current situation and also to help each party hear the other's views regarding a possible move abroad. The woman explained that she would make every effort to maintain the relationship between the children and their father but felt she needed her family support network around her to do this. Her husband had an opportunity to describe the fear of losing his children and the close relationship he enjoyed with them.. They had an opportunity to discuss how holiday periods could be used to spend time with the children.

The couple decided that the woman and children should move to reside to the country to which the woman was originally from but they have also agreed to postpone the move for a period of the time. The couple agreed to return to mediation with the aim of reaching an 'all issues' mediated separation agreement.

Criminal Legal Aid

Criminal Assets
Bureau Ad-hoc Legal
Aid Scheme

Garda Station Legal
Advice Revised
Scheme

Legal Aid - Custody
Issues Scheme

Criminal Legal Aid Ad-hoc Schemes

There are five Criminal Legal Aid Schemes and the Board is currently responsible for the administration and management of three of them. These are the Garda Station Legal Advice Revised Scheme, the Legal Aid – Custody Issues Scheme and the Criminal Assets Bureau (CAB) Ad-hoc Scheme.

Garda Station Legal Advice Revised Scheme

This is an ad-hoc non statutory scheme which caters for persons who are detained in Garda Stations. Those who satisfy certain criteria are entitled to legal advice under the Garda Station Legal Advice Revised Scheme by way of telephone and / or in-station consultations with a solicitor and also to legal advice by way of the attendance of a solicitor with them at a Garda / detainee interview. A person seeking legal advice under the Scheme must make their request to the Custody Officer in the Garda Station where they are detained and complete the standard application form providing details of their financial means. The Gardaí will arrange for the solicitor to either consult with the detainee by way of a telephone consultation and / or for the solicitor to

attend the station to meet the detainee in person.

During 2017, the Legal Aid Board processed 4,125 claims in respect of over 8,700 Garda Station detainee consultations and almost 8,900 hours for attendance at interview. The expenditure figures for 2017 are set out below and show that the year on year increases since new arrangements came into force in 2014 have been maintained. This is primarily due to the fact that solicitors are now entitled to claim fees for the time spent attending Garda interviews and any waiting time associated with these interviews, as well as the traditional fees that were available for telephone and in-station consultations.

On the introduction of the new arrangements in 2014, the Department committed to review the revisions to the Scheme after a suitable period to determine if further amendments were required. That review has now commenced and the Board is directly involved in the process.

Overall expenditure on the Scheme in recent years is set out in the Table below:

**Table 15 - Expenditure on Garda Station Legal Advice Scheme
2012-2017**

Description	2012	2013	2014	2015	2016	2017**
Expenditure	€887,000	€812,000	€1,010,000	€1,444,000	€1,711,000	€1,864,000

**figures include VAT

**Table 16 - Garda Station Legal Advice Revised Scheme
statistical report for 2017**

No	Description	Count	2017 *
1	Total cost of authorised claims this year		€1,527,200
2	Overall number of claims authorised during the year	4,125	€1,527,200
3	Total number of solicitor firms that had authorised claims during the year	234	€1,527,200
4	Total number of claims authorised during the year under the Offences Against the State Acts	179	€145,100
5	Total number of claims authorised during the year under the Criminal Justice Act, 1984-2006	3,651	€1,144,300
6	Total number of claims authorised during the year under the Criminal Justice (Drug Trafficking) Act 1996 legislation	251	€145,700
7	Total number of claims authorised during the year under Section 50, Criminal Justice Act, 2007 legislation	44	€92,000
8	Total number of claims authorised for consultations only	2,073	€266,500
9	Total number of claims authorised for attendance hours only	36	€7,900
10	Total number of claims authorised for consultations and attendance hours	2,016	€1,252,800
11	Total number of individual phone consultations authorised for payment	2,187	€86,600

*figures exclude VAT

Table 17 - Payments 2014, 2015, 2016, 2017

No.	Description	2014	2015	2016	2017*
1	Average cost per solicitor claim	€193	€270	€330	€370
2	Average cost per individual consultation	€86	€88	€90	€92
3	Highest cost of an individual claim processed	€6,469	€5,876	€10,575	€9,087

*figures exclude VAT

The Legal Aid - Custody Issues Scheme

The Legal Aid - Custody Issues Scheme is an administrative, non-statutory arrangement whereby legal costs payments are made in certain types of litigation (e.g. Habeas Corpus (Article 40) Applications and Extradition and European Arrest Warrant Applications) not covered by civil legal aid or the main criminal legal aid scheme. A person seeking legal representation under the Scheme must notify the relevant Court at the earliest possible opportunity of their

intention to apply for the Scheme's provisions. Depending on the type of proceedings and the financial circumstances of the applicant, the Court will then decide if a recommendation should be made to the Board to grant legal aid. It is then a matter for the Board to decide, in accordance with the terms of the Scheme, to either grant or refuse legal aid under the Scheme.

A range of statistics pertaining to the operation of the Scheme is set out in the tables below:

Table 18 - Legal Aid Custody Issues Scheme General (non bail) statistics 2017

No	Description	2017*
1	Number of new claims received by Board in the year	200
2	Number of individual authorised payments in the year	564
3	Number of claims generating payment in year	216
4	Total cost of claims for Chief State Solicitors Office (CSSO) cases	€1,653,800
5	Total cost of claims for Director of Public Prosecution (DPP) cases	€266,400

6	Total cost of claims for Health Service Executive (HSE) cases	€24,200
7	Total cost of claims for Mental Health Commission (MHC) cases	€25,900
8	Total cost of claims for TUSLA cases	€27,700
9	Average cost per authorised claim in year	€9,250
10	Total value of claims authorised by Board for the Scheme*	€1,998,000

*figures exclude VAT

Table 19 - Number of individual authorisations

Payee type	Expenditure*	Number of individual authorisations
Solicitor	692,000	197
Junior Counsel	778,000	204
Senior Counsel	472,000	81
Translator / Interpreter	23,000	62
Expert witness	33,000	20
Total authorised	1,998,000*	564

*figures exclude VAT

Table 20 - Breakdown of payments for High Court Bail applications

No.	Description	2016	2017**
1	Total cost of High Court Bail Applications	€743,000	€795,500
2	Total number of Brief Fees processed	2,234	2,386
3	Payments to solicitors	€440,000	€479,000
4	Payments to counsel	€300,000	€316,000
5	Payments to interpreters / translators	€1,900	€500

*figures exclude VAT

Table 21 - Total Scheme expenditure breakdown 2012 - 2017

	2012	2013	2014	2015	2016	2017**
Expenditure	€3.5m	€3.4m	€3.2m	€2.75m	€3.0m	€3.2m

**figures include VAT

The Criminal Assets Bureau (CAB) Ad-hoc Scheme

The CAB Scheme is an administrative, non-statutory arrangement whereby payments are made in respect of certain types of litigation where legal representation is provided to persons who need but cannot afford representation.

The grant of legal aid under the CAB Scheme is a matter for the Court with the appropriate jurisdiction to deal with the specific case, subject to the Court being satisfied that –

- (i) the means of the applicant for legal aid are insufficient to enable him / her to obtain legal representation on his / her own behalf and,

- (ii) by reason of exceptional circumstances it is essential, in the interests of justice, that the applicant should have legal aid in the preparation and conduct of his / her case.

The Scheme is demand driven and the final output figure in 2017 totalled €101,000 (VAT inclusive) which is an increase of 2% on the 2016 figure. The Board authorised payments in respect of 8 cases in 2017, compared to 11 in 2016. Cases initiated by CAB can run for a number of years and a number of Respondents may be involved in any given case. The CAB cases can be very complex and a single case could significantly impact on the figures in any given year under the Scheme.

Table 22 - CAB general statistics 2017

No.	Description	2017*
1	Number of new cases received by Board	10
2	Number of cases with authorised payments by Board	8
3	Average cost per authorised claim	€9,249
4	Total value of claims authorised for the Scheme	€73,990

* figures exclude VAT

Table 23 - CAB expenditure 2012 - 2017

	2012	2013	2014	2015	2016	2017**
Expenditure	€700,000	€382,000	€327,000	€178,000	€99,000	€101,000

**figures include VAT

Supporting Service Delivery

Legal Services Support / Civil Legal Aid

The grant or refusal of civil legal aid certificates is governed by the Civil Legal Aid Act, 1995, and associated Regulations. The Board's operating model allows local law centres to grant civil legal aid certificates for most family law District Court cases, which tend to be less complex and less expensive cases. Whilst many of these cases are dealt with directly by the relevant law centre, the majority are allocated to private practitioners on the Board's District Court panel.

For cases which require representation in the Circuit or Superior Courts, the decision-making function rests with the Board's Legal Services function. The decision to grant or refuse legal aid is made on foot of a submission from the client's solicitor, which sets out the relevant facts and seeks to apply the law to those facts. The authority for case-related expenditure, such as briefing a barrister or procuring expert reports, also rests with Legal Services. This is a central part of the cost-control and governance role of the Support function.

Appeal Committee

The Appeal Committee is a statutory sub-committee of the Board that decides on cases where a person makes an appeal against a decision of the executive.

In 2017, there were 3,368 certificates granted by the Board's Legal Services function on foot of submissions made by law centres on behalf of applicants, a decrease of 4% on the previous year. The Unit also granted 5,274 amendments to legal aid certificates in the year, an increase of 8% on the previous year. These amendments are effectively authorisations for additional services on a certificate, such as a barrister or a medical report. There were 565 authorisations given on cases prior to a decision on whether a legal aid certificate should be granted; these were primarily to enable an opinion to be sought from a barrister to help determine the merits of certain cases.

There were 240 formal refusals of legal aid on the merits criteria in 2017, with a further 64 refusals of amendments and other authorisations. Applicants who are refused a legal aid certificate or an amendment enabling further services to be provided, have the right of appeal to an Appeal Committee of the Board. Details of the number of cases appealed and the outcomes are set out below.

The majority of cases that come before it relate to decisions to refuse legal aid certificates.

In 2017, the Committee met on 15 occasions and considered 169 appeals.

Of these, the decision of the executive was upheld in 131 cases.

There were 35 appeals where the original decision was overturned. In 11 cases, full or partial waivers of costs or

contributions were granted by the Committee (out of a total of 17 sought).

Table 24 below provides an outline of the position.

Table 24 – Appeals

	2013	2014	2015	2016	2017
Total number of appeals	156	165	146	129	169
Number of decisions upheld	116	131	111	105	131
- Financial criteria	12	33	31	34	57
- Merits criteria	104	98	80	71	74
Number of decisions overturned	38	26	31	23	35
Appeals withdrawn/resolved	1	6	4	1	3

Protected Disclosures

The Board has a policy on protected disclosure reporting in the workplace and it complies with the provisions of the Protected Disclosures Act, 2014.

The Board signed up to Transparency International Ireland’s “Integrity at Work” programme in 2017.

The Policy sets out the principles underpinning the development and maintenance of an ethical culture in the organisation, the operational details of how protected disclosures are to be made by workers in the Board and how those disclosures are to be considered. The Board has appointed a confidential recipient. One disclosure was reported to the confidential recipient in 2017 which is under investigation.

Internal Audit

Reports on audits of the following Law Centres were presented to the Board’s Audit and Risk Committee by the internal auditors for consideration by the Committee: Athlone, Cork North, Cork South, Galway, Gardiner Street, Kilkenny, Longford, Tullamore, Medical Negligence Unit, Sligo, Tullamore, Wexford, Clondalkin, Portlaoise, Finglas, Monaghan, Blanchardstown and Navan. A report on the audit of the Family Mediation Office in Raheny was also presented. None of the audits presented during the year made any material findings. The responses were noted and there were no material findings.

Financial Management

The Board's Finance Unit is responsible for the financial management of the organisation. During 2017, the Unit continued to support the work of the Board through maintenance of effective accounting systems. Regular financial reports, together with periodic expenditure analysis reports were provided to Management, the Board's Finance Committee and the Board to assist in the effective management of the Board's budget. The Unit facilitated the annual audit carried out on behalf of the Comptroller and Auditor General.

Information and Communications Technology

A key focus of the ICT Unit of the Board during 2017 was on improving the performance of the EOS case management system for civil legal aid cases. A detailed analysis of the system infrastructure and coding was carried out which provided the basis for a series of performance improvements.

Energy Usage 2017

Overview of Energy Usage in 2017

The Board is currently on course to meet its statutory obligation to reduce energy consumption by 33% by 2020 (over a 2009 baseline). Returns are made to the Sustainable Energy Authority of Ireland (SEAI) on an

A new case management system for the Board's mediation service was rolled out.

The Board engaged with Government Networks and external contractors on the specification stage of a project that will enable the Board's inter-office communications to move to the Government's virtual private network (VPN). When implemented, this will provide significant savings on telecommunications costs.

Official Languages Scheme

The revised second Scheme has been in place since August 2014. The Board is continuing to monitor and update this Scheme. The principle development in 2017 was the training of 10 staff members in Professional Irish. The level of training delivered was at various levels depending on the competency of the staff member. Gaelchultúr provided the training.

annual basis, and the performance scorecard, based on these returns is outlined below.

The offices included in this report consumed the following levels of energy over the last three years:

Table 25 – Energy Consumption

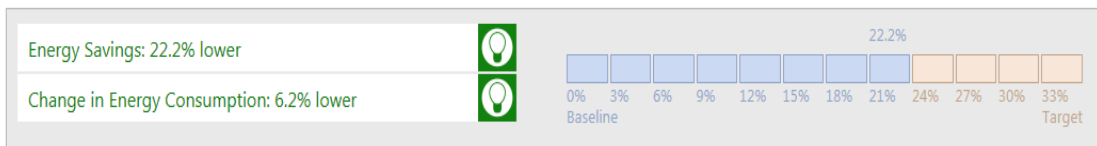
Year	Electricity(kWh)	Gas (kWh)	Oil (Litres)
2017	1,499,389	95,268	15,254
2016	1,558,739	115,647	17,000
2015	1,523,587	120,859	17,000

Initiatives taken during 2017

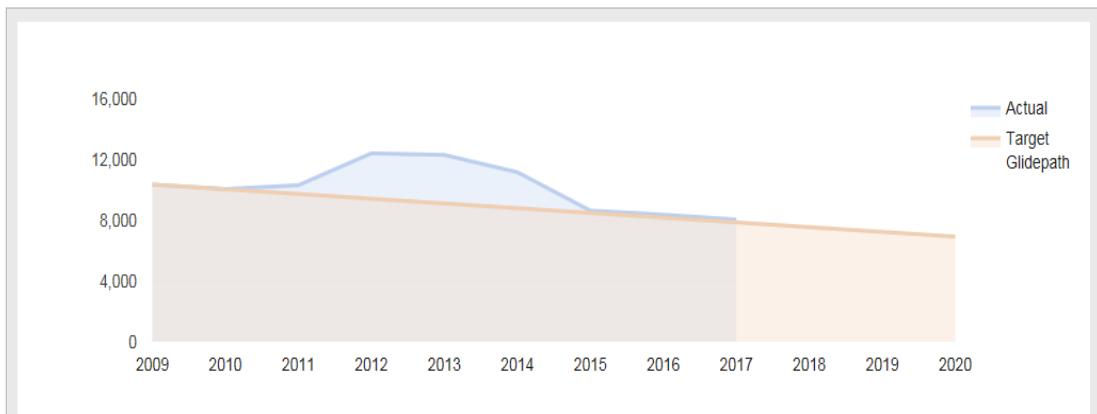
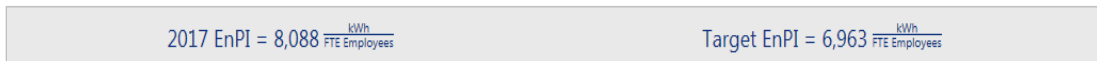
The Board has, throughout 2017, continued to work with the Office of Public Works (OPW) via its Optimising Power @ Work campaign to focus on

staff awareness campaigns, behavioural change and minor works projects that generate savings in energy usage.

Progress against baseline (2009 to end 2017)



Energy Performance Indicators - 2017



3.8% better than 2016	Level 2 Energy Performance Indicators (2017)
22.2% better than baseline	Electricity = 7,459 $\frac{kWh}{FTE\ Employees}$ 3.4% better than 2016
16.2% improvement required by 2020	Thermal = 628 $\frac{kWh}{FTE\ Employees}$ 8.5% better than 2016
2.4% worse than target 'glidepath'	Transport = 0 $\frac{kWh}{FTE\ Employees}$ 0.0% worse than 2016

