



2023 FLAC ANNUAL REPORT

TARGETED ACTION – TRANSFORMATIVE OUTCOMES

FLAC (Free Legal Advice Centres) is an independent legal, equality and human rights non-governmental organisation which exists to promote access to justice.

The right of access to justice is a continuum which encompasses:

- Access to early and preventative forms of legal assistance - including legal information, advice and advocacy, which can prevent legal problems from arising or escalating.
- Access to the legal representation.
- Access to courts and tribunals, which includes fair procedures, effective remedies and just outcomes.

Fair and just laws are an essential overarching component of access to justice.

FLAC works in a number of different ways to promote each element of the right of access to justice and looks to model best practice in the provision of public legal assistance.

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Foreword from Eilis Barry, FLAC Chief Executive



In 2023, years of labour bore fruit. The outcomes in the two landmark Supreme Court cases taken by FLAC in 2023 are a powerful illustration of the importance of access to justice in combatting some of the most urgent issues of our time - including poverty, discrimination, inequality and social exclusion - and its role in upholding the rule of law and holding powerful bodies to account.

The rulings in *Heneghan* and *O'Meara* are testament to the bravery and resilience of the O'Meara family and Tomás Heneghan. Both decisions will have a widespread positive impact beyond the individuals. There are currently two Bills being advanced to give effect to the Supreme Court's judgments. One will give more people voting rights in future Seanad elections and the other will broaden entitlement to social welfare payments for bereaved partners and families. The Oireachtas Social Protection Committee recently endorsed FLAC's recommendations for strengthening the legislation for giving effect to the *O'Meara* judgment. There are indications that the legislation may go further than the judgment strictly requires and extend entitlement to bereaved partners who do not have children, which would be a humane and welcome response.

The impact of FLAC's policy work is also evident in the new National Action Plan Against Racism, which reflects a number of FLAC's recommendations.

We were also pleased that IHREC adopted FLAC's detailed law reform recommendations on ensuring access to justice for victims of discrimination in a submission to the Review of the Equality Acts. The impact of FLAC's work was also evident in the response to the Pillar to Post series when the Central Bank welcomed the unique nature of FLAC's policy work in the area of credit and debt law.

Subsequent to the referendums earlier this year, there has also been recognition of the significance of FLAC's role in providing detailed independent legal analysis with the aim of achieving the best and most effective wordings for constitutional amendments in the areas of Equality, the Family and Care.

PILA's over-subscribed Ukraine Legal Clinic - that provided information on immigration law, social welfare, family law and practical tips was another highlight in 2023.

We try to model best practice of effective accessible public legal assistance in the various ways that we work. The work of the Roma Clinic led to the first decision of a court in Ireland finding that a member of the Roma community had been discriminated against in a retail setting. Discrimination against Roma women on the basis of their ethnicity and gender remains depressingly commonplace.

The Traveller Legal Service also continues to regularly hear from Travellers who have experienced discrimination in trying to access hospitality services to mark important family

and life events such as births, marriages and deaths. The allegations of discrimination in this area underlines the social segregation of the Traveller community.

The critical importance of and overwhelming need for preventative and early forms of legal assistance - to ensure that people are aware of their rights and able to assert them - is borne out by the demand on FLAC's Telephone Information and Referral Line and Free Legal Advice Clinics, especially in the areas of family and employment law. 12,472 queries were answered by FLAC's Telephone Information and Referral Line. The phonenumber received an estimated 52,000 calls during opening hours, however, only 20% of the calls could be answered. This was notwithstanding the very welcome assistance of Arthur Cox and Matheson.

The record high of 2,425 employment queries recorded by the phonenumber remains a great cause for concern because there is nowhere to send these callers for further legal assistance given that the Legal Aid Board cannot provide representation before the WRC.

Family law queries again dominate the phonenumber. While FLAC welcomes many of the provisions the Family Courts Bill, we have a number of concerns including the fact that families may be pressured to engage in mediation without being able to access legal advice or assistance.

The phonenumber also received a record high number of queries about civil partnerships/ co-habitation during 2023. During the first half of 2024, the outcome in *O'Meara* has led to a significant number of queries from co-habiting families regarding their social welfare entitlements.

FLAC's Free Legal Advice Clinics were also at capacity in 2023, as 3,273 people received legal advice at over 1,000 clinics. Thanks to our volunteer legal advisors and the teams at Arthur Cox and McCann Fitzgerald who offer support on a weekly basis.

FLAC believes that our work, and its results, can provide the inspiration for a radical re-imagining of access to justice in Ireland and the blueprint for public legal assistance services which are explicitly concerned with promoting rights and equality and combatting discrimination and disadvantage. It is to be hoped that these matters will be addressed in the review of the Civil Legal Aid Scheme that FLAC is happy to participate in.

I want to thank all of the FLAC Council members for their ongoing support and hidden valuable work. David Fennelly's expertise, inspiration and contribution during his tenure as Chairperson and council member will be missed and I want to thank Róisín Fitzpatrick for stepping in as Interim Chair. Julie Herlihy offered huge support and guidance (not least in the area of finance) and will also be greatly missed.

We, like other NGOs, are understaffed and I want to thank the staff for their dedication, creativity, passion, expertise, great good humour and their extremely hard work which is detailed in this report.

Ellis Barry,
FLAC Chief Executive

A Message from FLAC's Chairperson



FLAC's 2023 Annual Report shows the ongoing unmet legal need there is today in Ireland. As Eilis mentioned in the foreword, FLAC continues to make an impact in combatting access to justice issues as evidenced from not only our two landmark cases but from each interaction our FLAC staff or volunteer has with people who need support.

The Annual Report reflects the significant FLAC role in policy, research and law reform – across housing and homelessness, social welfare, equality and the Constitution to name a few areas. FLAC continues to give a voice to those who are not heard at a policy level – reflecting our first-hand experience of providing legal assistance. FLAC also has diverse and focussed strategies to support those people most in need whether it be the Roma Clinic or the Traveller Legal Service. Both of these initiatives show how much FLAC continues to tackle access to justice issues for people who experience 'clustered injustice' in our society. On behalf of FLAC Council, I would like to pay tribute to the many people and stakeholders who made the work and achievements recorded in the pages of this report possible.

FLAC's work would not be possible without those who volunteer to support the organisation, including the volunteers and law firms working on the phonenumber and in clinics, the barristers who assist with casework and the members of the PILA alliance. We were delighted to honour 18 legal advice clinic volunteers and mark the contribution made by

the staff members of Arthur Cox and Matheson for their work on the FLAC phonenumber, at the Golden Pin award ceremony which was held on the occasion of our annual FLAC Justice lecture in December. It is amazing to see the future legal professionals represented through the eight FLAC student societies at the universities around Ireland present in the report.

We were particularly delighted to welcome former FLAC Chairperson and veteran campaigner Peter Ward SC who delivered the inspirational FLAC Annual Justice Lecture, in memory of Dave Ellis to a packed hall. We thank our former chairperson David for his excellent introduction to Peter on the evening. We are also grateful to the King's Inns and Dr Eimear Brown in particular, for welcoming again so many members of the extended FLAC family for that special event.

I do wish to express our immense gratitude to all of FLAC's funders – from Government Departments and statutory bodies to the Law Society, the Bar of Ireland, and philanthropic organisations such as the Community Foundation of Ireland, as well as our wide array of sustaining and supporting partners, individual law firms, practitioners and private individuals – for providing the financial resources that allows FLAC to undertake its work. We thank our funders for their vision in ensuring we can support those people who need us in the community – especially in our advocacy, research and policy which allows FLAC to make informed and strategic decisions to promote access to justice.

More broadly, FLAC is very fortunate to be able to draw on the deep commitment to access to justice within the legal profession, civil society, law schools and student societies across the island of Ireland. Our FLAC community continues to grow and we are very grateful for them. We continue to be proud to work in collaboration with partners and stakeholders who share our vision of a fairer and more just society.

We were delighted to continue with FLAC's ongoing membership of the review of the civil legal aid system. It is vital that the voice of individuals and communities experiencing poverty, disadvantage and discrimination are at the heart of the reimagined legal aid system and we look forward to the publication and implementation of the report. I would like to thank and play tribute to Eilis Barry who continues to provide this voice for FLAC and the voice of the communities we represent.

We are also happy to be a member of and want to acknowledge the significant contribution of the Chief Justice's Access to Justice Committee. In 2023, this Committee shone a valuable spotlight on the opportunity to develop a model system of legal aid, bringing a wide range of international experts and domestic speakers to reflect on how this complex challenge can be best addressed.

I wish to acknowledge the hard work and dedication of FLAC's fantastic staff whose work fills the pages of this report. In a year of greater complexity and with ever rising need in our society, their dedication, passion and commitment are what allow us to continue to deliver the quality support that we provide across legal assistance, representation and policy and research. I thank Eilis Barry for her tireless dedication.

We were sad at the departure of Christopher McCann who in a short time made a very valuable contribution to the Traveller Legal Service. We also said farewell to Shamika Dwarika from PILA and Ruth Kilcullen from our Equal Access Project. We wish them the very best well in the future.

Finally, I wish to thank my fellow members of FLAC Council for their essential behind-the-scenes work, notably in the areas of governance, finance and strategic planning. In particular, I wish to acknowledge and thank my predecessor, David Fennelly, whose term as FLAC Chairperson ended in March 2024. David made a very significant contribution to FLAC during his tenure as Chairperson and Council member, especially in the area of governance and we wish him the very best in his future endeavours. I also want to acknowledge and thank Julie Herlihy for her invaluable good-humoured support and guidance especially in the area of FLAC finances and membership of the Finance and Audit Committee. We were delighted to welcome Fiona Donson, bringing her years of experience and dedication to our Council.

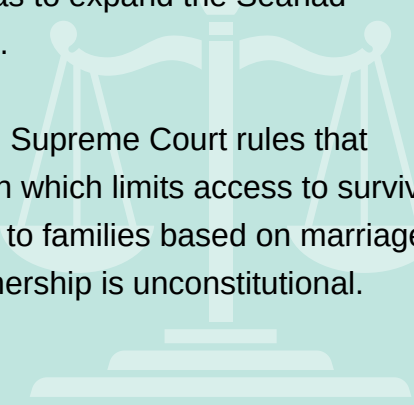
Promoting and advocating equal access to justice through access to early and preventative forms of legal assistance, access to legal representation and ensuring fair and just laws in today's society requires resilience, creativeness and tireless dedication. As we see complex shifts in our society, it is more important than ever that we persevere – I couldn't thank our FLAC staff, Council, volunteers and funders and supporters enough for all they do.

Róisín Fitzpatrick
FLAC Chairperson

2023 Highlights

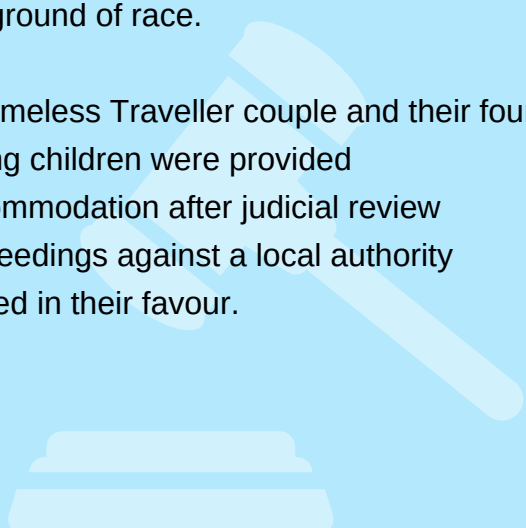
Two Landmark Supreme Court Judgments

- *Heneghan*: Supreme Court decides that there is a “constitutional obligation” on the Oireachtas to expand the Seanad franchise.
- *O’Meara*: Supreme Court rules that legislation which limits access to survivor’s pensions to families based on marriage or civil partnership is unconstitutional.



Legal Representation

- **91** people represented in discrimination cases under the Equality Acts with clients receiving a total of **€87,500** in financial compensation.
- Two Roma women succeeded in a Circuit Court appeal ruling their expulsion from a Dunnes Stores supermarket was discriminatory. This is the first decision of a court in Ireland finding that a member of the Roma community had been discriminated against in a retail setting on the ground of race.
- A homeless Traveller couple and their four young children were provided accommodation after judicial review proceedings against a local authority settled in their favour.

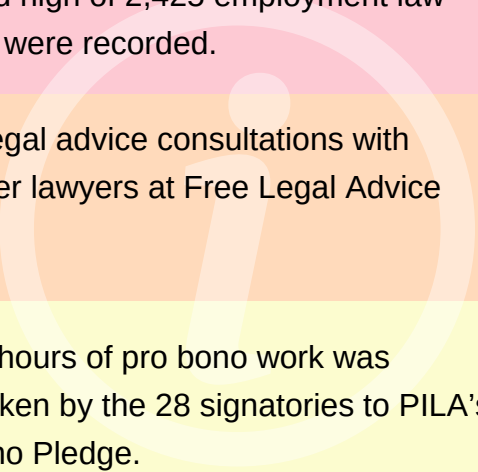


Preventative Legal Assistance

- **12,472** queries were answered by FLAC’s Telephone Information and Referral Line.
- A record high of 2,425 employment law queries were recorded.

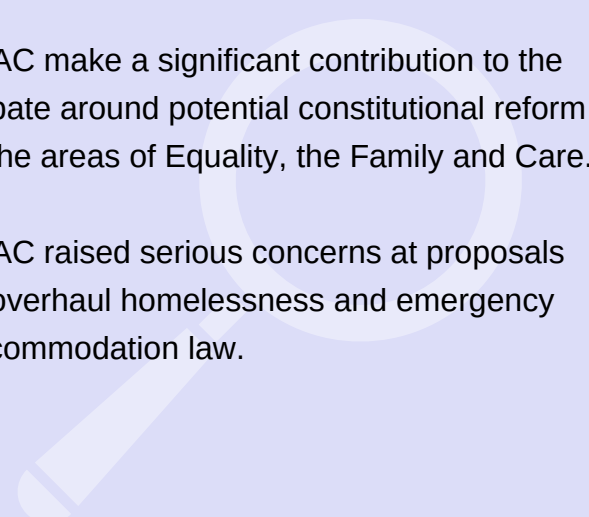
- **3,273** legal advice consultations with volunteer lawyers at Free Legal Advice Clinics.

- **42,742** hours of pro bono work was undertaken by the 28 signatories to PILA’s Pro Bono Pledge.
- **51** community and social justice organisations received legal assistance through PILA’s Pro Bono Referral Scheme.
- **Over 100** Ukrainian people living in Ireland attended the FLAC Ukraine Legal Clinic, which PILA organised.



Policy, Research & Law Reform

- New National Action Plan Against Racism and IHREC adopt FLAC’s anti-discrimination and access to justice recommendations.
- FLAC make a significant contribution to the debate around potential constitutional reform in the areas of Equality, the Family and Care.
- FLAC raised serious concerns at proposals to overhaul homelessness and emergency accommodation law.



Section One: Preventative Legal Assistance

Access to early legal information, advice and advocacy for individuals and groups can prevent legal problems from arising or getting worse and may prevent or reduce the need for litigation.

Telephone Information & Referral Line

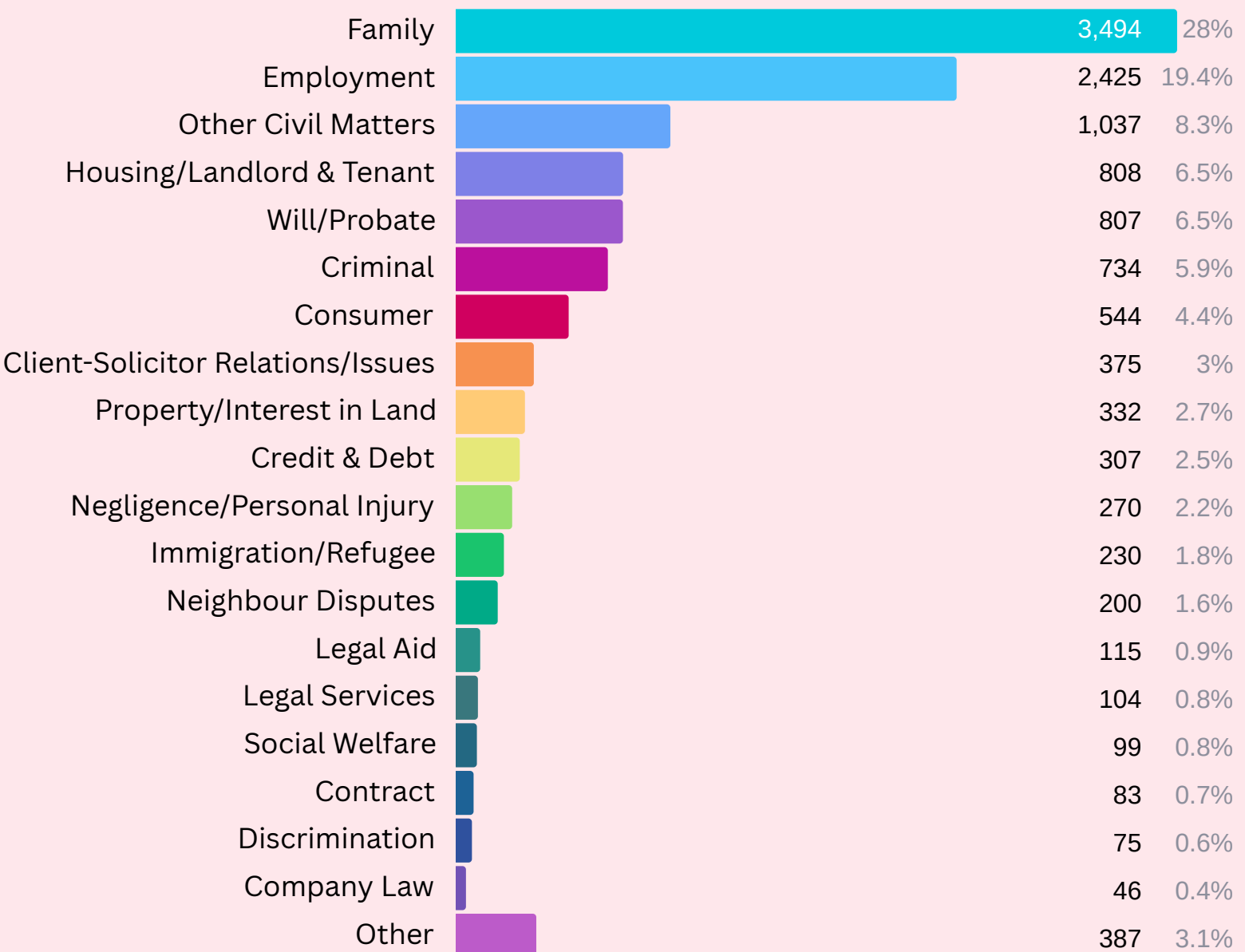
FLAC’s Telephone Information and Referral Line team responded to 12,472 queries in 2023.

In addition to this, the team on FLAC’s Telephone Information and Referral Line also made 2,125 follow-up calls to provide them with further information or set up an appointment at a FLAC clinic. The team arranged 2,690 appointments for a legal advice phone clinic in 2023.

The FLAC phonenumber received an estimated 52,632 calls during opening hours in 2023. However, only 21% of these calls could be answered.

These figures represent unacceptable levels of unmet legal need which FLAC, a small non-governmental organisation, simply cannot meet.

Queries to FLAC’s Telephone Information and Referral Line 2023



What were the queries about?

28% Family Law (3,494 queries):

Family law remained the area in which FLAC received the most queries:

- 44% were in relation to a divorce or separation.
- 30% were in relation to custody, access or guardianship.
- 15% were in relation to maintenance.
- Almost 15% were in relation to domestic violence.
- 12% were in relation to the family home.

22% of all family law queries on the telephone information and referral line were referred on to a FLAC clinic for legal advice.

In 2023, FLAC recorded a higher number of queries about civil partnerships/co-habitation than in any previous year (with a 27% increase in queries recorded compared to 2022). Many of these queries were about seeking reliefs (such as maintenance) under the co-habitation legislation, as well as queries about the tax liabilities that apply to cohabiting couples as compared to married couples.

19.4% Employment Law (2,425 queries):

Employment law queries are the second highest area of calls. They rose in 2023 to the highest number ever recorded by the Telephone Information & Referral Line team. It remains a matter of ongoing concern that there is nowhere to refer callers with employment law queries as there is no legal aid available in employment claims before the WRC. There is no avenue for callers who cannot afford a private solicitor (or are not members of a trade union) to receive legal representation.

- One third of these queries were in relation to contract terms.
- 18% were in relation to a dismissal.
- 12% in relation to a grievance procedure.
- 11% in relation to a redundancy.
- 8% in relation to bullying or harassment in the workplace.

Queries relating to contract terms, grievance procedures, dismissal and non-payment of wages were all higher than in any previous year.

Key Telephone Information & Referral Line Statistics



12,472 contacts to the FLAC Telephone Information Line Team



28% of queries were family law issues



19.4% of queries were employment law issues



6.5% of queries were housing law issues

What were the queries about?

8.3% Other Civil Matters (1,037 queries): Lay Litigants

- 25% of queries logged under this heading related to tort law (i.e. the law concerning liability for 'civil wrongs' including negligence).
- 24% of queries were logged under this category to indicate that they related to potential or ongoing court proceedings.
- 11% of "other civil matters" queries were about capacity issues, wardship or assisted decision-making.
- 5% of these queries were about defamation.
- 5% of these queries were about data protection



I felt lost and overwhelmed before.
Now I am able to put things into
perspective again and have a plan.

-FLAC Phonenumber Caller-



Since the pandemic, the annual number of queries that FLAC receives from lay litigants has nearly doubled. These callers are often endeavouring to represent themselves in complex court cases, navigating complex rules and procedures, and are desperately in need of legal assistance which FLAC does not have the capacity to provide.

- 821 queries to the Information Line in 2023 were from lay litigants, 7% of all queries. Of these:
 - 44% had a family law query.
 - 12% had a criminal query.
 - 11% had a civil law query.
 - 9% had an employment law query.
 - 5% had a housing related query, which was a 22% increase on the previous year and higher than any other year.

Referrals

In 2023, there was a 42% increase in the number of calls from people referred to FLAC from another agency or body, including:

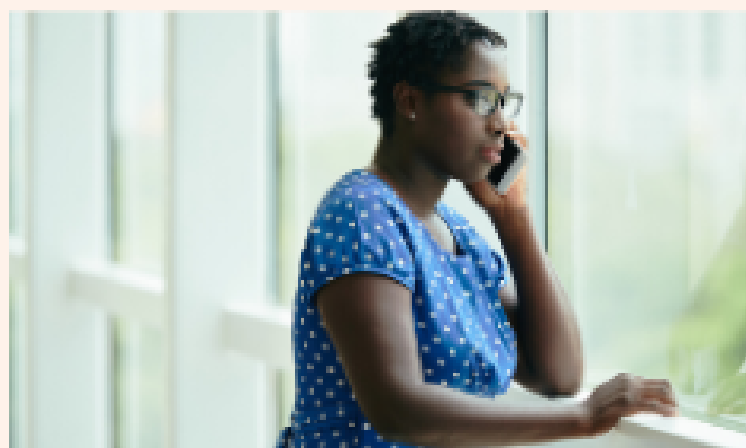
- Over 1,000 referrals from Citizens Information Centres. Almost half of these callers also received advice from a FLAC Clinic in addition to information from the Telephone Information and Referral Line.
- 237 referrals from the Workplace Relations Commission (which is a public body with a statutory mandate to provide employment law information).



Free Legal Advice Clinics

Free Legal Advice Clinics are delivered by volunteer lawyers and provide confidential, basic legal information, advice and referrals in family law, immigration law, employment law and “general” law. There were 3,273 legal advice consultations held at over 1,000 clinics during 2023.

2023 saw an almost 20% rise in the number of clinics organised in conjunction with the Citizens Information Services (CIS), which included a new clinic set up with North Connacht and Ulster CIS.



	Type of clinic	Clinics held	Consultations
Appointments made via FLAC Telephone Information Line	Employment	302	860
	Family	173	638
	General	154	463
	Immigration	13	30
	General via Zoom	1	4
	Total	643	1995
Appointments made via Citizens Information Centre	Dublin South CIS	99	338
	South Leinster CIS	82	162
	North Munster CIS	67	221
	South Munster CIS	67	190
	South Connacht CIS	55	171
	North Dublin CIS	51	136
	North Leinster CIS	14	43
	Sign Language	11	15
	North Connacht & Ulster CIS	2	2
	Total	448	1278
	Total	1091	3273



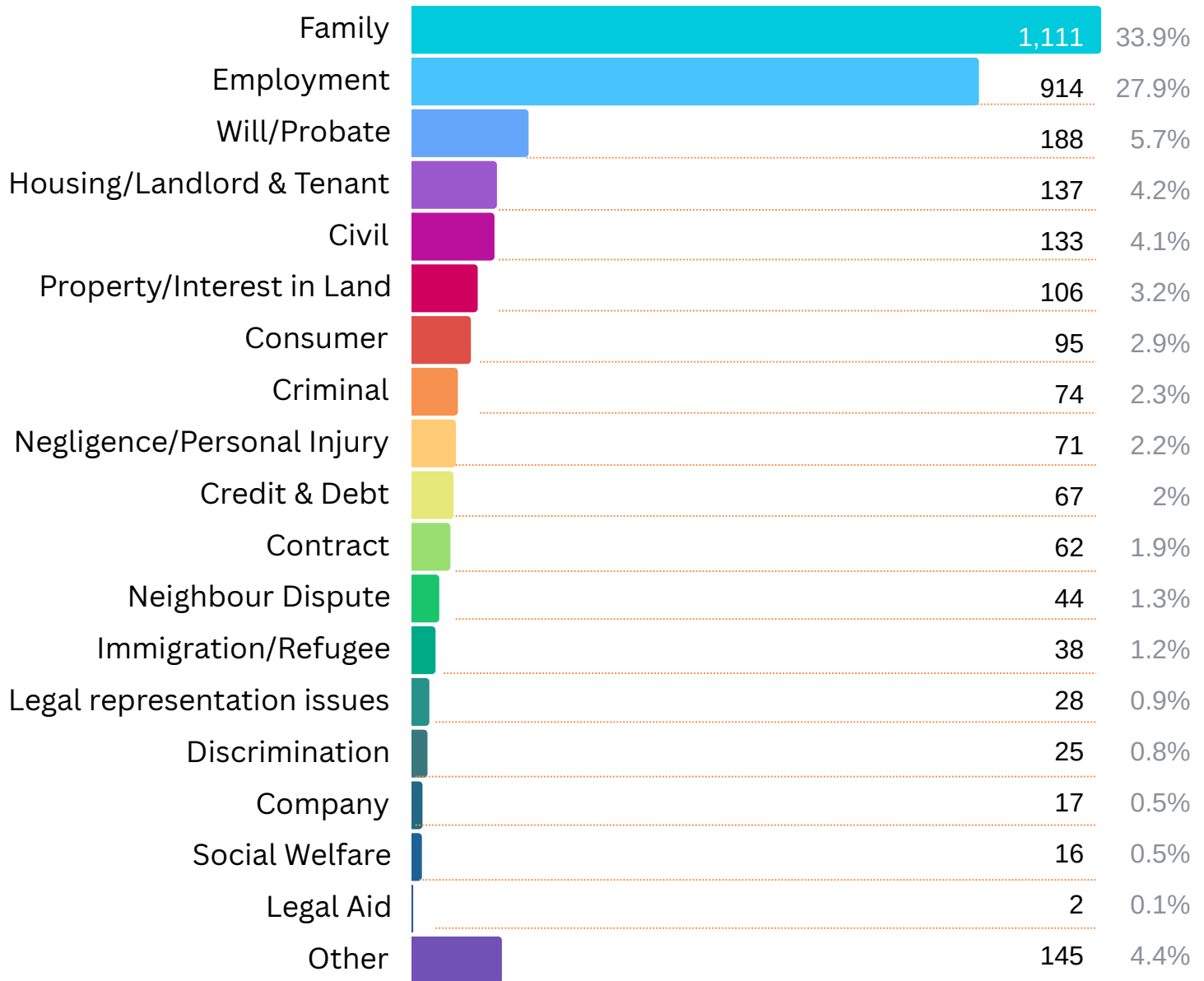
After a short conversation with the FLAC solicitor, I have peace of mind to put some things in place which I was extremely concerned about. I know this is a baby step on my journey but feel comfortable and ready for the next step.

Thank you

-FLAC Service User-



What were the consultations in FLAC Clinics about?



Total 3,273

* Area of law recorded at each appointment based on Data Collection Forms returned in 2023

Key FLAC Clinic Statistics



3,273 consultations

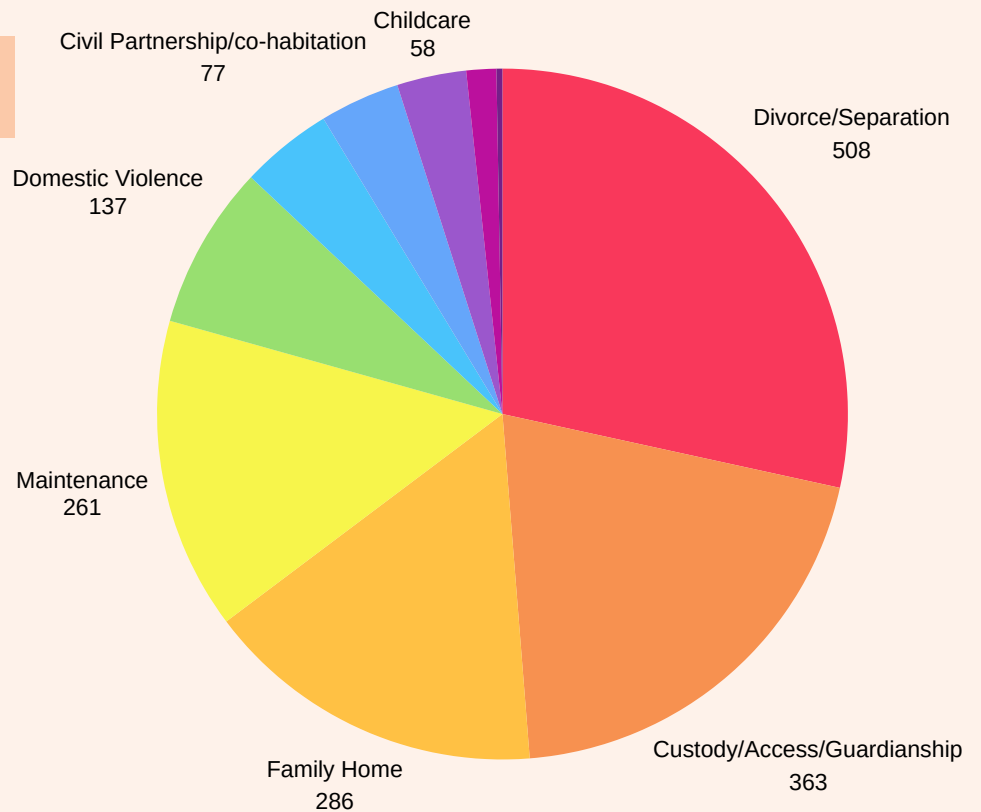


33.9% of consultations were about family law



27.9% of consultations were about employment law

33.9% Family Law:

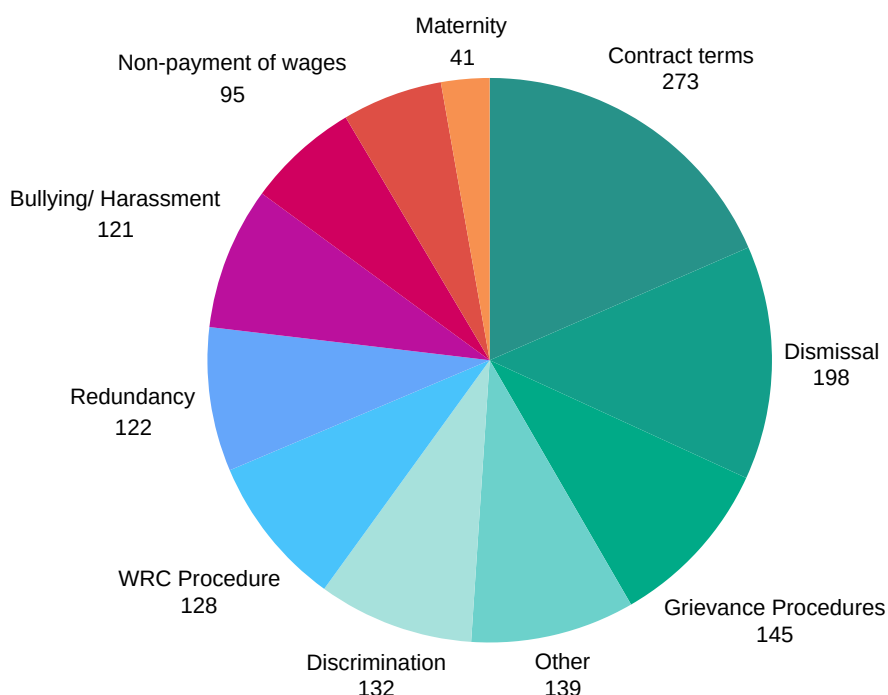


27.9% Employment Law:

Just over one-quarter of all consultations in FLAC Clinics (914 consultations) in 2023 were in relation to an employment law query, which was almost a 10% increase on the previous year.

- Almost one-third of consultations (30%) regarding employment law were seeking advice in relation to an employment contract, an increase of 4% on the previous year.

- 16% of employment law consultations were regarding grievance procedures, an increase from 30 service users in 2022 to 145 service users in 2023.
- Queries related to WRC procedures rose from 13 in 2022 to 128 in 2023.
- Queries related to bullying/harassment, non-payment of wages, access to redress and maternity leave all more than doubled compared with the previous year.



Grounds of Discrimination	Consultations
Disability	42
Gender	18
Race/ethnicity/nationality	17
Family status	16
Other	11
Age	7
Civil status	2
Sexual orientation	2
Traveller	2
HAP	1
Total	118

Discrimination

In clinic consultations about discrimination in employment and other contexts, the grounds on which the alleged discrimination occurred were recorded in 118 instances. Disability discrimination queries comprised the largest category of these queries.

Legal aid

Of the 3,273 legal advice consultations at FLAC Clinics:

- 251 were considering applying for legal aid.
- 166 were not aware of the Legal Aid Board.
- 645 were advised to contact the Legal Aid Board for legal advice or representation.
- Another 239 were advised to contact the Legal Aid Board's Family Mediation Service.

Golden Pin Award 2023

We were delighted to honour 18 of our Legal Advice Clinics volunteers with the FLAC Golden Pin Award at our annual FLAC Justice Lecture 2023.

At the ceremony we also presented 7 staff members from Arthur Cox and Matheson with a Golden pin for their work organising their staff to volunteer on the FLAC Telephone Information Line one day a week.



The Public Interest Law Alliance

Legal Assistance for Social Justice Organisations – the PILA Pro Bono Referral Scheme

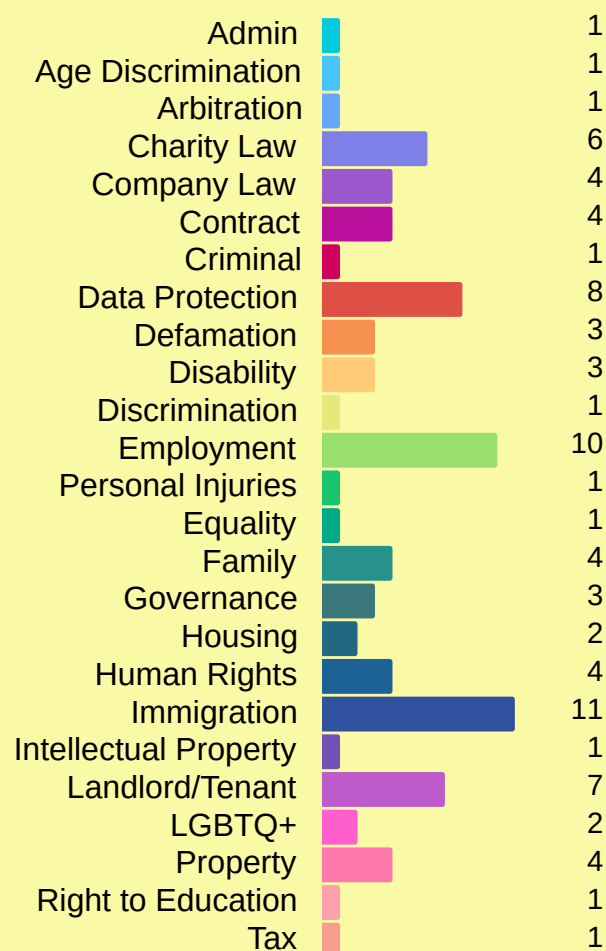
PILA (Public Interest Law Alliance) is a project of FLAC that engages the legal community and civil society in using the law to advance positive social change.

PILA's Pro Bono Referral Scheme facilitates access to pro bono legal services for social justice organisations. Since 2009, PILA has supported over 1,500 referrals through the Scheme and has provided over 350 social justice organisations with direct legal assistance.

In 2023:

- Our network of 52 law firms, 350 barristers and 9 in-house legal teams directly delivered legal assistance to 51 NGOs, community organisations and independent law centres:
 - 85 new legal advice and litigation referrals were facilitated.
 - Since the invasion of Ukraine by Russia, PILA has worked to ensure that organisations assisting Ukrainians in Ireland have access to pro bono legal support.
- 227 NGO staff and legal professionals received training at one of six Legal Education Sessions.
- 28 signatories to PILA's Pro Bono Pledge reported having undertaken 42,742 hours of pro bono work.
- **Over 100** Ukrainian people living in Ireland attended the FLAC Ukraine Legal Clinic, which PILA organised.

Breakdown of Referrals by Area



Total 85



Sustaining and Supporting Partners

The work that PILA does would not be possible without the support from PILA's sustaining partners Arthur Cox, A&L Goodbody, Matheson & McCann Fitzgerald.

“Arthur Cox is proud to be a sustaining partner of PILA and to work with the fantastic FLAC team. Arthur Cox is delighted to support the FLAC Information Line and FLAC Employment Clinic. By partnering together on these initiatives last year, Arthur Cox lawyers were able to help close to 1,000 FLAC service users gain access to legal information and to understand their rights.

FLAC, through the Public Interest Law Alliance, plays a critical role in bringing the legal sector together to deliver pro bono services to NGOs which provide essential front-line services to marginalised and vulnerable people and in turn helps them gain access to justice.”

- Carolann Minnock, Of Counsel, Head of Pro Bono at Arthur Cox.

Pro Bono Pledge Ireland

PILA has continued in its role as coordinator of the Pro Bono Pledge Ireland. The Pledge provides a common definition of pro bono legal work, a commitment to a minimum aspirational target of 20 pro bono hours per lawyer per year and a mechanism to benchmark progress through annual reporting of anonymous pro bono data.

Since the launch of the Pledge in November 2020, it has been signed by:

- 51 law firms
- 6 individual solicitors
- 40 barristers
- 2 in-house legal teams

The second Pro Bono Pledge Ireland Impact Report was launched in November 2023. 28 signatories reported having undertaken 42,742 hours of pro bono work.

“

It was excellent. I felt lost and overwhelmed before. Now I am able to put things into perspective again and have a plan.

-FLAC Service User-

”



NGO Pitch Events

PILA hosted 3 NGO Pitch Events in February, April and November. The events seek to connect Pledge Signatories with NGOs and Civil Society Organisations in need of legal expertise. Nine organisations such as the National Woman's Council of Ireland, Focus Ireland and the Traveller Equality & Justice Project presented an overview of their organisations and highlighted how pro bono can assist them in their work.

Pro Bono Week

Pro Bono Week Ireland 2023 enjoyed unprecedented numbers in attendance at each of the events that took place throughout the week (20 to 24 November).

The week of events was supported by A&L Goodbody, Arthur Cox, DLA Piper Ireland, Mason Hayes & Curran, Matheson, McCann FitzGerald and William Fry.

The central theme for this year's Pro Bono week was maximising the impact of pro bono. A central objective was to bring together various stakeholders in the pro bono ecosystem – lawyers, law students, non-profits, academics, and businesses – for an engaging conversation on the impact and role of pro bono in tackling important social issues.

Speaking about Pro Bono Week Ireland 2023, Niamh Coughlan, partner and Head of Pro Bono at Matheson LLP said:

"We in Matheson are honoured to once again play a small part in Pro Bono Week Ireland ... This week's events showcase not only some of the invaluable work that is being done by the signatories to the Pro Bono Pledge Ireland, but also the tangible and impactful results which are achieved through the work of PILA."



PILA Bulletin

The PILA Bulletin is a source of legal and human rights news. During 2023, we published 23 issues of the PILA Bulletin and its circulation grew to 2,791 subscribers. The Bulletin aims to bridge the fields of law and social justice and it shines a spotlight on domestic and international caselaw, policy issues, legislation and legal trends. You can subscribe to the Bulletin by emailing pila@flac.ie



Ukraine Legal Information Clinic

On Saturday 23 September 2023, FLAC and PILA delivered the Ukraine Legal Information Clinic. The event aimed to bring legal information to members of the Ukrainian community in Ireland, as well as offer practical advice, and signpost useful resources and services. The event was made possible by a #IrelandForUkraine grant from the Community Foundation of Ireland.

More than 100 people attended over the day, with demand for the event far outweighing the capacity. The clinic comprised of five legal information sessions, during which attendees were able to ask questions and discuss their legal issues.

The first session, entitled “Practical Tips and Tricks for Ukrainians in Ireland”, was delivered entirely in Ukrainian by Kateryna Andarak, Arthur Cox LLP, Foreign Registered Solicitor. FLAC’s Legal Officer, Christopher Bowes, delivered the presentation on social welfare entitlements.

The clinic also included an immigration law session delivered by Róisín Fitzpatrick, Deloitte Irish Corporate Immigration Lead and FLAC Board member, which addressed the topics of temporary protection, residence and employment permits and naturalisation. Legal information on family law matters such as registering births, enrolling children for education, domestic abuse, and temporary guardianship was provided by Lorraine Lally BL.

Pavlo Bogachenko, Senior Associate in DLA Piper Ireland LLP, supported the clinic and provided the crucial link between the practitioners ready to provide assistance and the members of the Ukrainian community who most needed the service.



Legal Education and Training

PILA Legal Education Sessions

PILA organised 6 legal education sessions in 2023 on the following topics:

- -Data Protection for NGOs
- -Pro Bono for Young Lawyers
- -Citizenship Applications
- -Corporate Social Responsibility
- -Defamation Law for NGOs
- -Residential Tenancy Law



FLAC Volunteer Training

217 volunteers attended 6 FLAC volunteer training events in 2023 on topics including family law, LGBTQI+ legal issues, wills and probate, housing law, employment law, and the Assisted Decision Making Act.

We are grateful to the trainers who shared their expertise and experience: Emma Slattery BL, Michael Hourican SC, Cillian Bracken BL, James Rooney BL, Finn Keyes BL, Owen Keany BL and Keith Walsh, Solicitor.

FLAC Student Societies

Eight active FLAC student societies at universities around Ireland operate independently of FLAC. However, FLAC works with them as part of our aim to support legal education and to complement the academic training law students receive.

In October 2023, FLAC was delighted to meet representatives from the Trinity College, Maynooth University, University College Cork and University of Galway FLAC societies at our office in Dublin. They met with Eilis Barry (FLAC Chief Executive), Erin Brogan (Telephone Information & Referral Line Development Manager) and Paul Joyce (Senior Policy Analyst) who gave them an insight into their careers and work with FLAC to date.

FLAC thanks the students for making the trip and looks forward to continued collaboration with them as they move through their legal careers.

FLAC was also very happy to welcome Cormac Ó Fearghail as an intern for the month of May, as a prize in Trinity FLAC's Conor Ringland Memorial Moot competition.

FLAC also welcomed the following students as Legal Research Officers in 2023

- Caoimhe Ebbs (*June 2023*)
- Aqila Ganji (*July-Sept 2023*)



Section Two: Legal Representation

FLAC's Independent Law Centre takes on a number of **cases in the public interest** each year. These cases are taken on with the aim of benefiting a wider community as well as being important for the individual client.

FLAC's Independent Law Centre also runs three targeted legal services, the Traveller Legal Service, the Roma Legal Clinic and LGBTQI+ Legal Clinic. Each of FLAC's three dedicated legal services have emerged from a recognition that individuals and groups who experience disadvantage, discrimination and/or poverty are more likely to experience multiple legal issues either together or consecutively (known as clustered injustice) that is not addressed through the traditional model of legal services and civil legal aid.

The Independent Law Centre provided 212 people with legal assistance during 2023, across 72 casefiles (including 25 new casefiles).

This work was chiefly in the areas of housing, social welfare and equality/discrimination law. There is significant unmet legal need amongst people and communities experiencing discrimination and disadvantage in each of these areas of law and they have dominated FLAC's casework in recent years.

These targeted services are tailored to the needs of groups who do not typically access FLAC's Telephone Information & Referral Line and Free Legal Advice Clinics or other mainstream services.

While these services cannot act as an alternative to a comprehensive system of civil legal aid, they seek to identify and respond to unmet legal need to the greatest extent resources allow, and undertake strategic litigation which has the potential to benefit the wider community.

The FLAC Casebook blog provides updates about FLAC's casework to highlight notable outcomes and to provide an insight into how FLAC uses litigation in the public interest as a mechanism for achieving its broader aims



Litigation in the Public Interest



During 2023, FLAC acted in two public interest cases which resulted in landmark Supreme Court rulings – Heneghan and O’Meara. In 2024, legislation has been progressed by the Oireachtas to give effect to these decisions:

Heneghan

- The Seanad Electoral (University Members) (Amendment) Bill 2024 will, when passed, give effect to Heneghan by expanding voting rights in elections for university members of the Seanad to all Irish citizen graduates of designated institutions of higher education.



Supreme Court upholds constitutional challenge to Seanad university franchise

3 APR 2023 | Reading time: 2 minutes

O’Meara

- The Social Welfare (Bereaved Partner’s Pension) Bill 2024 will, when passed, give effect to the O’Meara judgment by expanding entitlement to social welfare schemes aimed at bereaved partners and families to qualified cohabitants and their children.



Heneghan: The Oireachtas must legislate to expand franchise for the Seanad University Panels

On 31 March 2023, the Supreme Court upheld a challenge to the constitutionality of the laws governing elections to the Seanad University Panels, brought by Mr Tomás Heneghan who was represented by FLAC. Mr Heneghan is a graduate of the University of Limerick and was not afforded a vote under the Seanad Electoral (Universities Members) Act 1937.

The Supreme Court found that sections 6 and 7 of the 1937 Act were unconstitutional and that the Seventh Amendment to the Constitution placed a “constitutional obligation” on the Oireachtas to legislate for the expansion of the franchise in elections for Seanad university seats.

[Press Release: Laws limiting electorate for Seanad University Panels are unconstitutional; Oireachtas must legislate to expand franchise.](#)

In a later judgment in the same case, the Chief Justice determined that the Court’s order takes effect on 31 May 2025.

[Press Release: Supreme Court sets May 2025 deadline for expansion of electorate in Seanad University Panel elections.](#)

FLAC Chief Executive, Eilis Barry congratulated Mr Heneghan ***“who initially took the case as a lay litigant, on his courage, fortitude and persistence in taking this landmark case for democracy, equality and the rule of law”***.

“This judgment is significant in terms of the importance of the expression of the will of the people in a constitutional referendum and confirming that the Oireachtas cannot ignore the outcome of a referendum.

The significance of the case goes beyond the issue of Seanad votes. It is a profound reflection of the democratic nature of the State.”

– Sinéad Lucey, FLAC Managing Solicitor.

“My legal team have also been extraordinary in their work and support over the past three years, particularly FLAC, Sinéad Lucey, Rosario Boyle SC, James Kane and Emma Sinnott.”

- Tomás Heneghan, FLAC Client



O'Meara: Equal treatment for bereaved partners and their children regardless of marital status

In 2023, the Supreme Court heard O'Meara & Ors v the Minister for Social Protection, Ireland and The Attorney General. FLAC acted for Mr John O'Meara and his children Jack, Thomas and Aoife in their successful appeal concerning their entitlement to a Widower's Pension. Mr O'Meara applied for the payment on behalf of his family after the death of his partner of almost two-decades, Ms Michelle Batey, from Covid-19 in 2021. The application was refused on the basis that they had not been married and so he was not considered a surviving spouse under the legislation.

The Supreme Court decided that the social welfare legislation gave rise to unconstitutional discrimination against the O'Meara family. The Chief Justice stated that: "[T]here is no distinction, and certainly no relevant constitutional distinction, between children in a long-standing non-marital unit such as the O'Meara's, and those of a comparable family whose parents were married. Significantly, nor is there any difference in the duties and obligations the parents married or unmarried owe to their dependent children."

Press Release: **FLAC welcomes landmark Supreme Judgment on Equal Treatment for Parents and their Children regardless of marital status.**



"This is the first judgment of the Irish Supreme Court which has found that legislation which distinguishes between marital and non-marital families cannot be justified and is contrary to the constitutional guarantee of equality. The judgment underlines that all children are equal irrespective of their parents' marital status. Mr O'Meara and his family were hugely brave in taking this important case which will have a significant positive impact for other families in similar situations."

– Sinéad Lucey, FLAC Managing Solicitor

"This decision recognises that my children and I are a family like any other, and that the treatment we endured over the past number of years was unjustified discrimination at the hands of the State. At the time when we most needed support from the State, we were refused it only because I was not married to my partner of almost 20 years before she died. It is a huge relief to know that no one else in a similar situation will have to endure the same discrimination."

– John O'Meara

Dedicated Legal Services

Traveller Legal Service

The Traveller Legal Service was founded in 2020 to address to the enormous unmet legal need that exists within the Traveller community through representation in strategic litigation and through the provision of training and support to advocates working with the community. It is supported by the Community Foundation of Ireland.

- In 2023, 10 new casefiles were opened and work continued on 21 files carried over from 2022.
- Roughly half of all casefiles concerned accommodation (52.9%) and the remainder concerned equality/discrimination.
- 43% of FLAC's total active casefiles arose from the Traveller Legal Service.
- The Traveller Legal Service received 37 queries during 2023 with 19 in the area of housing, 14 in the area of discrimination/equality and 4 miscellaneous queries.
- In addition to cases where legal representation was provided, legal advice and advocacy was provided in response to 25 queries received by the Traveller Legal Service.



“

I've been through this process without a solicitor and there was a moment that I wanted to give up but **thanks to you and your advice I'm still fighting** and every advice you have given me it has been really helpful.

-FLAC Service User-

”

Roma Legal Clinic

FLAC continued to operate its dedicated Roma Legal Clinic in 2023. The clinic is funded by the Department of Children, Equality, Disability, Integration and Youth's National Traveller and Roma Inclusion Strategy.

- Legal advice and information was provided through 109 consultations with members of the Roma community. Second-tier information and advice was also provided through 100 consultations with community and advocacy organisations working with Roma people.
- 5 new casefiles were opened in 2023 and work continued on 10 files opened before then.
- 15 (20.8%) of FLAC's 72 total active casefiles emerged from the Roma Legal Clinic.
- Discrimination/equality cases constituted the largest category of Roma Legal Clinic casefiles in 2023 (56.2%).
- 37.5% of Roma Legal Clinic casefiles concerned social welfare and 6.3% concerned housing.

LGBTQI+ Legal Clinic

The LGBTQI+ Legal Clinic was established in 2022 to meet the specific needs of the gay and trans community. It is funded by the Department of Children, Equality, Disability, Integration and Youth.

The weekly clinic recorded 60 total consultations in 2023:

- 29 consultations concerned family law issues.
- Another 15 consultations concerned discrimination, 7 concerned access to gender affirming care and documentation, 4 concerned immigration and 5 concerned other areas of law.
- 6 of FLAC's 72 total active casefiles emerged from the LGBTQI+ Clinic. 5 of these cases concerned discrimination/equality and 1 case concerned housing.



Casework Outcomes & Updates

The Independent Law Centre provided 212 people with legal assistance and representation during 2023, across 72 casefiles (including 25 new casefiles and 47 ongoing cases which remained active during 2023).

A single casefile may be opened on behalf of multiple clients (for example, a family with a social housing issue). A single casefile may also involve multiple complaints or legal actions (for example, individual complaints to

the WRC made on behalf of both members of couple who have experienced discrimination).

2023 casework undertaken was chiefly in the areas of housing, social welfare and equality/discrimination law. There is significant unmet legal need amongst people and communities experiencing discrimination and disadvantage in each of these areas of law and they have dominated FLAC’s casework in recent years.

All Active Casefiles during 2023				
Area of Law	Files Carried Over	New Files	Total Active Files	% Total Active Files
Discrimination/Equality	31	13	44	61.1
Housing	11	9	20	27.8
Social Welfare	5	3	8	11.1
All	47	25	72	100%

Discrimination/Equality Casework

Casefiles on discrimination and equality issues constituted the largest category of total casefiles dealt with in 2023 (61.1%) and of new files opened (52%).

109 people received legal assistance from the Independent Law Centre in this area during 2023. This included 91 complainants (or potential complainants) in discrimination cases under the equality legislation:

- Cases under the Equal Status Acts involved alleged discrimination by shops, hotels, schools, healthcare providers, hairdressers and pharmacies.
- During 2023, FLAC’s clients in discrimination cases received a total of €87,500 in financial compensation.

The majority of cases emerged from the Traveller Legal Service or Roma Legal clinic and concerned discrimination on the grounds of ethnicity and/or membership of the Traveller Community.

FLAC also acted in a number of cases concerning discrimination on other grounds. A number of cases were taken on the disability ground, including cases on behalf of people who experienced discrimination on the basis of their HIV status and cases on behalf of children with disabilities and their families concerning access to State supports.

Use of Strict Confidentiality Clauses

A notable feature of FLAC's casework in this area is the inclusion of strict confidentiality clauses in settlement agreements at the insistence of the respondents to discrimination complaints.

Often these non-disclosure clauses prevent the existence of the complaint or the settlement from even being acknowledged. This limits the wider impact of individual outcomes which could otherwise have a dissuasive effect and promote compliance with anti-discrimination law.

FLAC, through our work in connection with the Review of the Equality Acts, has developed specific law reform proposals for regulating and limiting the use of 'NDAs' in discrimination proceedings.

Discrimination cases on behalf of Roma Women

Discrimination against Roma women who wear traditional Roma attire on the basis of their ethnicity and gender remains a very significant issue.

- Three new casefiles were opened in 2023 on behalf of Roma women who had been discriminated against in retail settings and FLAC continued to act in six other ongoing discrimination cases on behalf of Roma women (four of which also concerned discrimination in retail settings).
- Three discrimination cases concerning access to shops and other retail settings settled in favour of Roma women during 2023.

First Irish judgment finding race discrimination against Roma in goods and services.

Two Roma women succeeded in a Circuit Court appeal where the Court found that their expulsion from a Dunnes Stores supermarket was discriminatory.

The Circuit Court upheld the women's appeal of the earlier decision of the WRC and awarded them €2,000 and €4,000 in compensation respectively.

In his written decision, Judge John O'Connor highlighted the need for "awareness of the challenges and obstacles that a minority ethnic person can endure in shopping".

FLAC Managing Solicitor, Sinéad Lucey, commented:

"This decision is one in a long series of discrimination complaints taken by FLAC on behalf of clients of our Roma Legal Clinic against providers of goods and services. Those cases often settle on confidential terms. This decision represents what we believe is the first decision of a court in Ireland finding that a member of the Roma community has been discriminated against in a retail setting on the ground of race."

An analysis of the decision by FLAC's Legal Office Christopher Bowes was published in the Discrimination Law Association's Briefings journal: [First Irish judgment finding race discrimination against Roma in goods and services.](#)

See FLAC's Press Release: [Circuit Court rules that Dunnes Stores discriminated against Roma Women.](#)

Discrimination cases on behalf of Travellers

A significant number of Traveller discrimination cases under the Equal Status Acts resulted in FLAC's clients receiving compensation or settlements in their favour.

In many discrimination cases, Travellers have been deprived of the opportunity to celebrate or mark significant events in the lives of their families (such as weddings and religious sacraments) in the same way as the wider population. FLAC Chief Executive, Eilis Barry, has commented that this form of discrimination is so common that it effectively gives rise to cultural segregation of Travellers.

In 2023:

- A Traveller family were awarded a total of €11,000 by the WRC after their dinner booking at a hotel to celebrate a child's Confirmation was cancelled upon their arrival at the venue. See FLAC's Press Release here: [WRC finds Family refused access to hotel for Confirmation celebration were subject to discrimination on the Traveller Community ground.](#)
- The WRC ordered a restaurant to pay €3,000 to a Traveller man after his booking for a dinner to mark the anniversary of his father's death was cancelled.
- The employees of a local Traveller group who provisionally booked with an accommodation and team building activity centre for an away day had their reservation cancelled the following day by email. A separate non-Traveller organisation sought to make an identical booking and were informed that they could be accommodated. After initially refuting the claim, the venue issued an apology and paid €10,000 in compensation to the Traveller organisation as part of a settlement of the claims.

Housing

Casework related to social housing, emergency accommodation and other housing issues continue to represent a large proportion of files dealt with by FLAC. The Independent Law Centre provided 88 people with legal assistance in this area during 2023.

In 2023, 9 new housing casefiles were opened and housing files made up 27.8% of total active casefiles:

- Most Traveller Legal Service casefiles concerned accommodation (52.9%) and housing files made up the largest number of new files opened by that service (53.8%).
- Most housing files related to access to social housing supports and adequacy of social housing supports.
- A significant proportion of new files concerned access to emergency accommodation for people and families experiencing homelessness.

Lack of an Accessible Independent Appeal in Social Housing Cases

A notable feature of FLAC's social housing and emergency accommodation casework is that in many instances, where cases are not resolved on foot of legal correspondence with local authorities, the only further recourse available to clients is High Court litigation (in particular, judicial review proceedings).

FLAC continued to act in a number of High Court judicial review and plenary cases concerning social housing. Two files which were opened during 2023 resolved shortly after FLAC initiated judicial review proceedings on behalf of our clients. A number of other cases were resolved after judicial review proceedings were threatened.

Notable Outcomes in Emergency Accommodation Cases:

- A homeless Traveller couple and their four young children were provided with emergency accommodation by a local authority after judicial review proceedings settled in their favour. The family had applied for emergency accommodation after a long history of living on the roadside and after their caravan had become uninhabitable. This resulted in the family sleeping in a car on the roadside. On foot of their legal action, the family were provided with suitable emergency housing pending the provision of long-term social housing supports.
- In another case where a Traveller family were living in entirely inadequate emergency accommodation (which was a two hour drive from their community and the children's school), the local authority agreed to allocate long-term social housing to the family in their community on foot of correspondence
- In a case that emerged from the LGBTQI Clinic, a local authority agreed to provide an EU citizen with emergency accommodation after having previously refused to do so on the basis of an assertion that he does not have a right to reside in the State. Correspondence was issued which pointed out that the homelessness legislation does not impose any requirement to have a right to reside in the State in order to access emergency accommodation.



Casework on Access to and Adequacy of Social Housing Supports:

- A local authority agreed to place a Nigerian woman on the housing list after having previously sought documentation from her which it was impossible to provide. FLAC asserted that she could not provide the documents requested and successfully sought a decision on her application.
- Two cases concerning access to suitable social housing for Traveller families with children with disabilities. One case is ongoing. In the other, the local authority agreed to place the family on the transfer list.
- An older Roma couple were given medical priority on the housing list on foot of correspondence from FLAC to the local authority.
- A Traveller woman's place on the housing list was restored; she had previously been removed from it after her house was burnt out.
- FLAC acted for a Traveller woman who was in receipt of the Housing Assistance Payment and living in sub-standard private rented accommodation. In correspondence, FLAC asked the local authority to comply with its duty to enforce the Housing (Standards for Rented Houses) Regulations 2019.

Social Welfare

There were eight active social welfare cases in 2023 which represented 11.1% of total active casefiles. Most of these casefiles were opened on behalf of members of the Roma Community. Social Welfare files are consistently one of the largest categories of casefiles opened on behalf of callers to the Roma Legal Clinic.

Legal & Habitual Residence Conditions for Access to Social Welfare Payments

All but one of FLAC's active social welfare casefiles were connected to the habitual residence condition for access to means-tested social welfare payments and Child Benefit. FLAC has repeatedly highlighted the disproportionate negative impact these conditions have on Roma and their ability to access basic social welfare payments. We are also concerned that the condition acts as a barrier to accessing Supplementary Welfare Allowance (which is supposed to operate as a social safety net).

A young Roma mother was successful in a social welfare appeal against a decision by the Department of Social Protection denying her claim for Child Benefit and Supplementary Welfare Allowance on the basis that she did not satisfy the Habitual residence condition.

In her appeal, she successfully relied on the decision of the Court of Justice of the European Union in *Teixeira* in arguing that she had a right of residence in Ireland as the primary carer of a child in education in the State.



Section Three: Policy, Research & Law Reform

Fair and just laws are an essential overarching component of access to justice. FLAC develops policy and law reform recommendations on all aspects of access to justice, human rights and equality and in areas such as housing/homelessness, social welfare, equality/discrimination, credit and debt law, access to the courts and effective remedies. These are the areas where people and communities experiencing discrimination, disadvantage and poverty are most likely to have a legal issue or multiple legal issues (clustered injustice).

Many of our recommendations are informed by our first-hand experience of providing legal assistance. Our policy work seeks to ensure that FLAC's casework benefits a wider community, in addition to the individual client.

Housing & Homelessness Law

Homelessness Legislation

FLAC made a submission to the Department of Housing in response to proposals to overhaul the legislation concerning homelessness and the provision of emergency accommodation by local authorities. [FLAC's submission can be accessed here.](#)

FLAC highlighted our stark concerns that the proposals would:

- remove the safety net of emergency accommodation for communities already most at risk of marginalisation, disadvantage and homelessness.
- artificially reduce headline 'homelessness figures' and obscure the understanding of the homelessness crisis and how to respond to it.

- create additional administrative barriers which may delay or prevent people and families experiencing homelessness from accessing emergency accommodation.

Our submission also warned against the proposal to introduce a non-statutory system of "humanitarian assistance" for those who "will no longer have an entitlement to homeless emergency accommodation [after the introduction of the proposed reforms]": which would, in our view, "undoubtedly give rise to issues in relation to the standards of accommodation provided, quality of decision-making, transparency and accountability".

FLAC included our own recommendations for improvements to the homelessness and emergency accommodation legislation and for a transition to a rights-based approach to housing and homelessness law and policy.

Landlord/Tenant

In March 2023, FLAC issued a statement ([which can be read here](#)) responding to comments made by then Taoiseach, Leo Varadkar in which he advised tenants facing eviction to contact FLAC.

The statement came about in the context of the expiration of the 'eviction ban'. FLAC sought to provide clear information to the public about the legal effects of notices of termination and the rights of tenants facing eviction. FLAC Chief Executive, Eilis Barry subsequently appeared on Morning Ireland to highlight our concerns.

Social Welfare Law

FLAC made a detailed submission to the Department of Social Protection's consultation on proposed new Social Welfare Appeal Regulations. [The submission can be read here.](#)

The submission set out FLAC's vision of an independent, expert and accessible Social Welfare Appeal Tribunal and recommended:

- The introduction of a statutory right to an oral hearing where necessary.
- A right of access to all information relevant to an appeal.
- The publication of the decisions of Appeals Officers.
- Appeals should be conducted in an accessible and inquisitorial fashion.

FLAC also highlighted that the draft regulations published by the Department fail to address the significant existing issues with the appeals system and could further undermine the independence of the Appeals Office. Any reforms to the social welfare appeals process should be consistent with the relevant constitutional, human rights and equality standards. In particular, the social welfare appeals system must include safeguards for appellants' rights to fair procedures and constitutional justice.



Equality / Anti-Discrimination Law

Review of the Equality Acts

FLAC has fully engaged with the comprehensive Review of the Equality Acts which was announced by Roderic O'Gorman TD, Minister for Children, Equality, Disability, Integration and Youth, when delivering the closing address at FLAC's equality law seminar series in 2021.

[FLAC's Submission to the Review](#) provides a blueprint for a next generation equality framework. Throughout 2023, FLAC sent correspondence to the Minister and his Department calling for the completion of the Review and the introduction of a new Equality Act which reforms and consolidates the existing equality and anti-discrimination legislation.

FLAC continued to sit on IHREC's Future of Equality Law Advisory Committee during 2023. IHREC published a [report based on that Committee's work](#) in July 2023 which made recommendations to the Review. The report adopted FLAC's detailed law reform recommendations on ensuring access to justice for those who have been subject to discrimination.

Analysis of first Irish judgment finding race discrimination against Roma in goods and services

In July 2023, a report by FLAC Legal Officer, Christopher Bowes about a significant Circuit Court judgment against Dunnes Stores (in a discrimination case taken by two Roma women represented by FLAC) was published in Briefings, the UK Discrimination Law Association Journal.

The report highlights the practical implications of the decision. The Editor of Briefings noted that “CT & FE v Dunnes Stores is the first Irish court judgment in a case brought by Roma service users who were discriminated against on the grounds of their ethnic origin” and noted its potential positive impact for the Roma community in Ireland and the UK. The publication may be accessed here: [First Irish judgment finding race discrimination against Roma in goods and services.](#)

Access to the Courts & Judicial Review

In January 2023, FLAC wrote to the Department of Justice about the implementation of proposals for Judicial Review reform arising from the report of the Review of the Administration of Civil Justice, chaired by Mr Justice Peter Kelly. The letter stressed the need for further stakeholder engagement before any reforms to Judicial Review are advanced.

FLAC has consistently raised its concerns at the prospect of access to Judicial Review being limited. In a submission to the Kelly Review, FLAC emphasised that Judicial Review “provides a vitally important avenue by which individual citizens and groups of citizens can challenge decisions of the State, its organs and its public bodies. For this reason, it is important that it is as accessible as possible to ordinary citizens who may be seriously affected by the decisions of such bodies”.

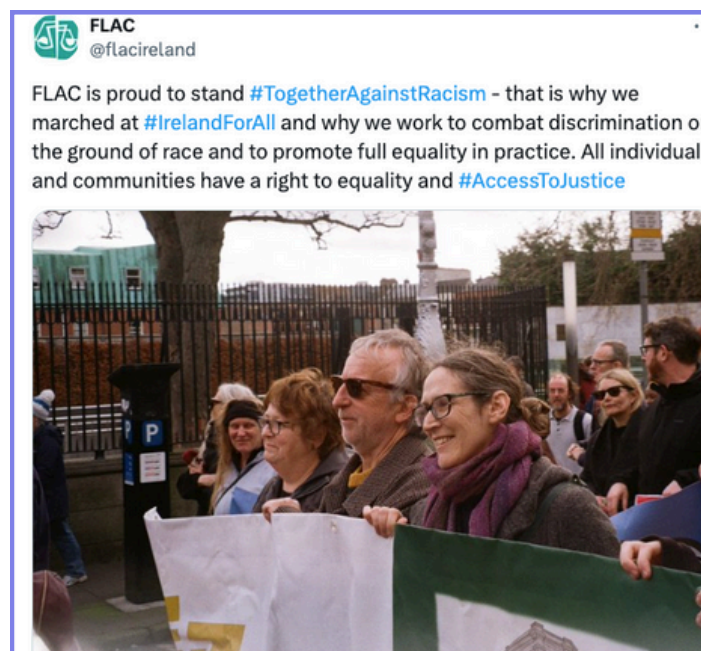
FLAC also continued to engage with the Courts Service on the implementation of the Courts Service Modernisation Programme and reforms to court rules, forms and procedures.

National Action Plan Against Racism

During 2023, FLAC welcomed the publication of the new National Action Plan Against Racism. The plan reflects many of the recommendations made by [FLAC in its submission](#) to the Independent Anti-Racism Committee (who drafted the plan). This includes commitments to “eliminate any policing practices that target specific groups experiencing racism” and to introduce “special measures for groups experiencing racism who are most at risk of homelessness or are unable to access appropriate housing or accommodation” as a matter of priority.

The plan also reflects FLAC’s submission by making a number of recommendations for enhancing Ireland’s anti-discrimination law and by identifying the need to “improve access to legal advice and representation for groups experiencing racism” as a priority action. Those actions also include “extending the remit of the Legal Aid Board to provide legal representation; and giving advocacy organisations standing to initiate proceedings on behalf of those affected by racism”.

FLAC’s press release on the publication of the National Action Plan Against Racism can be viewed [here](#).



Potential Constitutional Amendments on Equality, the Family and Care

In June 2021, the Citizens' Assembly on Gender Equality made three recommendations for constitutional reform in relation to equality, the family and care. Those recommendations were considered by the Oireachtas Gender Equality Committee during 2022. FLAC's submission to that Committee in November 2022 (which was reported on in our 2022 Annual Report) included proposed wording for new constitutional Equality Guarantee.

In March 2023, the Government announced its intention "to hold one or more referendums" arising from the recommendations of the Citizens' Assembly and Oireachtas Committee. Throughout 2023, FLAC undertook a considerable amount of policy, research and advocacy work concerning the proposals for constitutional reform, and engaged widely and constructively with Government, relevant civil society organisations, policy-makers, academics and legal practitioners.

FLAC sought to ensure that any proposed constitutional amendments would contain the best and most effective wordings - which would require changes in law and policy and, as a result, practical improvements in the lives of women, carers (who are mostly women), older people, people with disabilities, single parents and diverse families:

- In May 2023, [FLAC made a detailed submission](#) to the Inter-Departmental Referendums Committee which analysed the wording proposed by the Joint Oireachtas Committee on Gender Equality. We also held a briefing event for civil society organisations about that submission.

- After consulting with relevant representative organisations and legal experts, FLAC made a supplemental submission to the Inter-Departmental Committee on the wording of any amendment to Article 41 and the need to provide constitutional protection to non-marital families. The submission can be viewed [here](#).
- In May 2023, FLAC held a workshop where leading legal practitioners and academics offered their views on the referendums and wordings. FLAC published a [report on that workshop](#) which set out our key findings and recommendations arising from it.
- In September 2023, FLAC published a [document setting out minimum standards and suggested wordings](#) in relation to each of the potential amendments. This was circulated to relevant politicians and the Inter-Departmental Committee. During that month, the Irish Times published an [Opinion Piece](#) by FLAC Chief Executive, Eilís Barry about the timing of the referendums and the wordings.
- On 12 December 2023, two Referendum Bills (providing for 'Family' and 'Care' amendments) were published. In response FLAC issued an analysis of the wordings which highlighted a number of issues and concerns in relation to both. [FLAC's press release and analysis of the wording can be accessed here](#).



Personal Debt, Credit and Financial Services

Review of the Central Bank of Ireland Consumer Protection Code

The Consumer Protection Code is a set of principles and rules that all regulated financial services providers must follow, including in the handling of complaints and arrears cases. In October 2022, the Central Bank of Ireland ('the CBI') published a 'Consumer Protection Code Review' Discussion Paper and indicated that it intended to review and amend the Code.

In 2023, it engaged with stakeholders, both providers of financial services and organisations with a consumer protection remit, through a series of consultation meetings.

In March 2024, the Bank published a formal public consultation paper on the review, at which it provided a high-level overview of the key proposals that will form the basis for amendments to the Code.

[FLAC made a detailed submission to the Review, which was finalised in May 2023.](#)

Central Bank of Ireland Civil Society Roundtables attended by FLAC

Indicative of a more inclusive approach to consultation, the CBI also issued invites to a number of civil society groups in 2023 to discuss issues of consumer risk and consumer protection. Two such meetings attended by FLAC in 2023 were on the subjects of:

- Consumer Credit in a High Interest Rate Environment.
- Access to Credit and Dealing with Debt.

FLAC's 'Pillar to Post' series of papers on consumer debt in Ireland

Pillar to Post is a series of four detailed policy papers on consumer debt and related issues, researched, written and published by FLAC between January 2021 and November 2022, which made a number of recommendations for reform of debt resolution mechanisms, support services and personal insolvency legislation.

In the course of 2023, FLAC sought feedback from a range of stakeholders on the issues raised and the recommendations for reform made in the series. Meetings and other events that were conducted with stakeholders in 2023 on the series included:

- A podcast discussing the series with the authors was recorded by Social Justice Ireland which can be accessed [here.](#)



- A detailed presentation on the papers was made to the Board of the Irish Banking and Culture Board.
- Detailed meetings with relevant parties included:
 - Insolvency Service of Ireland management team,
 - Consumer Advisory Group to the CBI,
 - Regional Managers of the Money Advice and Budgeting Service (MABS),
 - Officials from the CBI Consumer Protection and Data Sections,
 - Banking and Payments Federation of Ireland and Retail Bank representatives,
 - Chief Executive and the Director of Services and Inclusion of the Housing Agency, and
 - Officials from the Retail Bank Division of the Department of Finance.

Joint Oireachtas Committee on Finance, Public Expenditure and the Taoiseach

In March 2023, Eilís Barry and Paul Joyce of FLAC made a presentation to the Joint Oireachtas Committee on Finance and responded to questions from members of the Committee on the activities and collection practices of Non-Banks and Vulture Funds. A recording of the session and transcript of the proceedings can be found [here](#).



Competition and Consumer Protection Commission (CCPC) Strategy Statement

FLAC met with officials of the CCPC in regards to their forthcoming Strategy Statement for the period 2024 to 2026, in July 2023.

Department of Finance Financial Literacy Strategy

In November, FLAC participated in a stakeholder event in the Department of Finance to discuss the further development of a National Financial Literacy Strategy. The event was organised by the Department in conjunction with the CCPC.

MABS Training sessions delivered in 2023

The state-funded Money Advice and Budgeting Service (MABS) is the primary source of free debt counselling assistance to borrowers in financial difficulty in Ireland.

In the course of Spring/Summer 2023, FLAC provided training sessions to money advice staff on updates to consumer credit legislation and practice. Full day sessions on 'All about Car Finance agreements' and 'About other forms of consumer credit' were held in Dublin (2 sessions), Athlone, Limerick, and Sligo. A training session 'An Introduction to Consumer Credit law for new MABS staff' was also delivered at the MABS Support CLG offices in Blanchardstown.

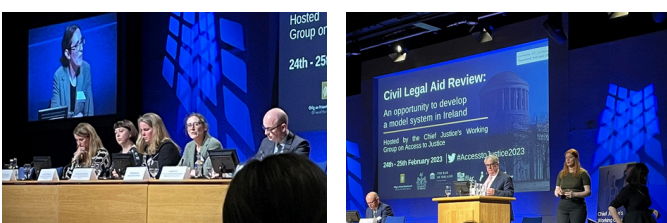
Section Four: Promoting Access to Justice

FLAC organises events and participates in initiatives which promote the right of access to justice.

The Review of the Civil Legal Aid Scheme

Throughout 2023, FLAC continued to participate in the Review of the Civil Legal Aid Scheme as a member of the Review Group. The Review is a golden opportunity for fundamental Civil Legal Aid reform and the reimagining of public legal assistance in Ireland.

FLAC's Stakeholder Submission to the Review (which was launched alongside our 2022 Annual Report and which may be accessed [here](#)) sets out our vision of a new public legal assistance body that is principles-based, with access to justice as its overarching aim and with an explicit preventative justice function.



The Chief Justice's Access to Justice Working Group

FLAC is a member of the Chief Justice's Working Group on Access to Justice. In February 2023, the Working Group held its second conference, "Civil Legal Aid Review: An opportunity to develop a model system in Ireland". At the conference in Dublin Castle, a range of international and Irish speakers offered their perspectives, including Professor Pascoe Pleasence, Professor Dame Hazel Genn and Mark Benton KC. They emphasised the need to measure unmet legal need, the importance of early legal information and advice, and the need to bring services to where people are.

A [detailed report on the conference](#) summarised the contribution made by FLAC Chief Executive, Eilis Barry:

"Ms Barry stressed that her and FLAC's vision for the future of civil legal aid is not about making some minor adjustments to the current restrictive system, but rather creating a new principle-based, user-focused, preventative body which has the fundamental or overarching goal of promoting access to justice. This involves a conceptual shift that moves the focus away from the provision of legal representation to the client in discrete cases to a new system that is outcome-focused, starts with prevention, engages in early and timely information and advice, public legal education, advocacy, and training, and has timely resolution as its goal and views litigation as a last resort."



Peter Ward SC delivers annual FLAC Justice Lecture

Former FLAC Chair and veteran campaigner for constitutional reform Peter Ward SC delivered FLAC's Annual Justice Lecture (in memory of Dave Ellis) on 12 December 2023 at the King's Inns. In his lecture – titled “Our Unfinished Republic” – Mr Ward reflected on his over 40 years of involvement with FLAC and looked to the future of access to justice and equality in Ireland.



He emphasised the role of independent non-governmental organisations such as FLAC in promoting access to justice and equality: **“For a successful democracy, all people need to feel fully connected to society and to the institutions in that society and people need to feel included and heard - in the true sense of the word - in how that society is governed.”**



Peter also reflected on his involvement with referendum campaigns since the 1980s and his views on successfully achieving impactful constitutional reform. He highlighted that a **“housing referendum could be a defining moment in progressing our republic... The greatest likelihood of success lies in the proposed amendment being put to the electorate together with a series of progressive legislative proposals - as part of an overall campaign to take radical measures to address a clear and present crisis...”**



A recording of the lecture is available on [FLAC's YouTube channel](#).



Section Five: Staff, Governance & Funding

FLAC is committed to the principles of transparency and accountability and works hard to ensure that all funding is put to the best possible and most efficient use in our efforts to maximise impact and promote access to justice.

FLAC (Free Legal Advice Centres) is a company limited by guarantee not having a share capital and is registered in Dublin (Company Reg. No. 49413). It is recognised by the Revenue Commissioners for charitable tax exemption (CHY No. 6097).

FLAC is registered with the Charities Regulator (Registered Charity Number 20010256), and is fully compliant with the Charities Governance Code. It submits its accounts and annual report to the Charities Regulator each year.

FLAC is an independent law centre under the terms of the Solicitors Acts 1954-2002 (Independent Law Centres) Regulations 2006, S.I. 103/2006.

As a campaigning organisation, FLAC is registered as a lobbyist in line with Regulation of Lobbying Act 2015 and makes returns to the Lobbying Regulator every four months.

FLAC is governed by its Council/Board of Directors who provide guidance on the strategic direction of the organisation. FLAC Council met eight times during 2023. It has a Governance Sub-Committee and a Finance and Audit Sub-Committee which also meets regularly.

FLAC Council

- David Fennelly (Chair)
- Maria Elena Costa Sa
- Don Crewe
- Roísín Fitzpatrick
- Joanne Hyde
- Julie Herlihy
- Owen Keany
- Áine Maguire



FLAC Staff

- Ellis Barry – *Chief Executive*
- Junaid Abdulkarim – *Pila Legal Research Officer* (since Sept 2023)
- Christopher Bowes – *Legal Officer*
- Cillian Bracken – *LGBTQI Clinic Advisor*
- Erin Brogan – *Telephone Information and Referral Line Development Manager.*
- Kate Brosnan – *Information Line Officer*
- Corina Byrne – *Finance, HR and Office Manager*
- Molly Byrne – *Intern*
- Conall Cahill – *Volunteer Assistant and Information Line Officer*
- Luke Cantwell – *Legal Research Officer* (since Nov 2023)
- Ingrid Colvin – *Clinics Co-Ordinator & Assistant Chief Executive*
- Deirdre Curtis – *Information Line Officer*
- Emily Dornan – *PILA Legal Officer*
- Shamika Dwarika – *Pro Bono Development Officer* (until May 2023)
- Catherine Eagers – *Legal Secretary*
- Lauren Flanagan – *Temporary Case Worker – Roma & TLS* (Oct-Dec 2023)
- Hugh Gallagher – *Legal Researcher* (Jul-Dec 2023)
- Rebecca Hanratty – *Temporary Case Worker – Roma & TLS* (Oct-Dec 2023)
- Jackie Heffernan – *Information Line Officer*
- Demetra Herdes – *Pila Legal Officer* (since May 2023)
- Laura Horan – *Information Line Officer*
- Paul Joyce – *Senior Policy Analyst*
- Marie Keating – *Information Line Officer* (since July 2023)
- Gillian Kernan – *Research Officer*
- Ruth Kilcullen – *EU Project Co-ordinator* (until Aug 2023)
- Liz Lee – *Receptionist & Administrative Assistant*
- Kelsey Lee – *Legal Officer*
- Stephanie Lord – *Legal and Policy Officer*
- Sinead Lucey – *Managing Solicitor*
- Nijole Matiukiene – *Housekeeper*
- Christopher McCann – *Solicitor* (until Feb 2023)
- Avril McCrann – *Information Line Officer* (until June 2023)
- Anne McSharry – *Information Line Officer*
- James Rooney – *LGBTQI Clinic Advisor*
- Maria Saracut - *Information Line Officer*
- Sinead Scales - *Volunteer Rostering and Support Officer*
- Caroline Smith - *Media and Communications Officer*



Funders

FLAC is grateful to all our funders and supporters who have shown their commitment to access to justice through donations and grants. This support enables FLAC to promote access to justice through all of our various work programmes.

In 2023, FLAC's funders included:

- Citizens Information Board
- Community Foundation for Ireland supported;
 - FLAC Traveller Legal Service
 - Ireland for Ukraine event
- Department of Justice
- Department of Children, Equality, Disability, Integration and Youth supported;
 - FLAC Roma Clinic
 - FLAC LGBTQI+ Legal Clinic
- Department of Rural and Community Development through;
 - SSNO (2022-2025) administered through Pobal
 - Community & Voluntary Energy Support Scheme
 - Community Centres Investment Fund
- Embassy of France
- European Union –DG: JUST Rights Equality and Citizenship Programme
- Law Centre NI
- Mabs
- Members of the Bar of Ireland
- Members of the Law Society of Ireland

FLAC thanks all the individual barristers, solicitors, donors and Friends of FLAC for their financial support.

In addition, PILA was supported by a number of law firms who demonstrated their commitment to pro bono and law in the public interest by becoming Sustaining Partners.

Sustaining Partners in 2023 were:

- A&L Goodbody
- Arthur Cox
- Matheson
- McCann Fitzgerald



FLAC Income & Expenditure 2023

FLAC's accounts are prepared in accordance with FRS102, the Financial Reporting Standard applicable in the UK and Republic of Ireland. The accounts are audited by KPMG and are made available in full on FLAC's website. FLAC's financial year runs from 1 January to 31 December. The following extracts are from FLAC's accounts for the year ending 31 December 2023.

Income	2023	2022
Philanthropic Funding	83,178.00	155,473.98
Bar Council & Law Society Members' Contributions	327,726.00	326,653.00
Statutory Funding	682,333.05	611,522.02
Fundraising and Donations	133,117.68	146,649.78
Legal costs received	18,478.08	14,611.16
European Funding	0.00	122,477.45
Total	1,244,832.81	1,377,387.39

Expenditure	2023	2022
Staff costs	1,274,077.51	1,431,856.15
Programme of work	116,999.00	198,547.00
Overheads, equipment & depreciation	168,707.14	163,478.00
Total	1,559,783.65	1,793,881.15



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