

BALLYMUN

COMMUNITY

LAW

CENTRE

ACTION PLAN 2000

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Ballymun Community Law Centre Campaign Committee consists of representatives from the following organisations:-

Coolock Law Centre
Ballymun Welfare Rights
Eastern Health Board
Mens Resource Centre
Youth Action Project
Ballymun Regeneration Limited
An Garda Síochána
Dublin Corporation
National College of Ireland
SIPTU
Ballymun Housing Task Force
Free Legal Advice Centres
Legal Aid Board
Ballymun Area Forums
Ballymun Women's Resource Centre
Money Advice Budgeting Services
Ballymun Citizen Information Centre
Scoil an tSeachtar Laoch
Dublin City University
Ballymun Credit Union

Dave Ellis Community Legal Resource has acted as a Consultant to the campaign committee since July 1999.

BALLYMUN COMMUNITY LAW CENTRE - ACTION PLAN

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EXECUTIVE SUMMARY, INTRODUCTION AND PROGRESS REPORT

This Section introduces and provides background to the campaign, which began in January 1999 with a public meeting in Ballymun. It recognises the assistance of Dublin Corporation, Ballymun Regeneration Limited, the Katherine Howard Foundation and the Ballymun Partnership. It gives details of the consultation process.

SECTION 2: WHAT IS A COMMUNITY LAW CENTRE

Section 2 discusses the concept of a Community Law Centre. The Community Law Centre model incorporates casework, community support, training, information development research into law reform policies.

SECTION 3: PROFILE OF THE BALLYMUN AREA

This Section provides background information about the Ballymun area. Ballymun has been subjected to a high level of deprivation. There have severe problems in the area arising from wide scale unemployment, drugs abuse, educational disadvantage and dependency on social welfare.

SECTION 4: EXISTING SERVICES

This Section begins to explain the context in which the Community Law Centre would operate. Although there is a strong network of information/advice/support groups in Ballymun, legal services from any source are virtually non-existent.

SECTION 5: MEETING AN UNMET NEED – AN OVERVIEW

Section 5 gives an overview of how the Community Law Centre would serve to meet the unmet need for Legal Services in Ballymun. There is strong evidence of a high level of unmet need for legal services both on an individual casework basis and as a resource to community organisations. There is a need for a range of services at both these levels. This need is best supplied by the Community Law Centre model.

SECTION 6: A VITAL RESOURCE FOR THE FUTURE

Section 6 explains the principles upon which the Community Law Centre will be based. The Ballymun Community Law Centre will provide a high quality service, working with the local community and committed to protecting and promoting the rights of people living in the area. The catchment area should commence by prioritising Ballymun and its immediate surrounding areas on the basis of the existing needs of this area and the issues likely to arise during the regeneration programme.

SECTION 7: CASEWORK

The casework priorities of Ballymun Community Law Centre are discussed in this section, they will be:

- Family law (preferably in conjunction with the Legal Aid Board scheme and local support/advice groups)
- Housing
- Employment Rights
- Social Welfare (in conjunction with local welfare rights groups)
- Equality issues, including education
- Debt (in conjunction with Ballymun Money Advice Budgeting Services)

Ballymun Community Law Centre will seek to develop a network of private solicitors to provide criminal legal aid.

SECTION 8: COMMUNITY SUPPORT WORK

This Section puts forward a strategy, which the Community Law Centre will adapt in providing a legal support service in local groups. Ballymun Community Law Centre will provide a community support service for local groups through an advice, and referral service. Ballymun Community Law Centre will also work with local groups to develop the services needed in the area.

SECTION 9: TRAINING

Section 9 discusses the type of legal training identified as being required and puts forward some possible solutions. Ballymun Community Law Centre will provide training for local organisations to assist them to develop their services.

SECTION 10: INFORMATION

In this Section the information needs of the Community are outlined. Ballymun Community Law Centre will disseminate information to the public on legal rights and the legal system and actively promote its own services.

SECTION 11: LAW REFORM/SOCIALPOLICY

Section 11 outlines the roles of the Community Law Centre in relation to law reform, social policy, and research. Ballymun Community Law Centre will work in conjunction with local groups, identify law reform issues that promote justice and equality for the community.

SECTION 12: SERVICE DELIVERY

This Section looks at some of the possible delivery mechanisms. Ballymun Community Law Centre will be based in a central location within Ballymun and will develop outreach services, and be part of an integrated approach to the delivery of information / advice services in the area. Ballymun Community Law Centre will also develop alternative dispute resolution methods including a comprehensive community mediation service.

SECTION 13: BUSINESS PLAN

Section 13 looks at some developmental, operational and costing issues. Ballymun Community Law Centre should employ a project development officer at an early stage to bring the project to operational stage. Once launched there should be a minimum

staff of two solicitors, a development officer plus back-up. Interim premises should be secured which meet agreed minimum standards, The long-term objective will be to secure premises either in the new Arts/Community Centre or in other new premises in a central location. The long-term development of premises should be in conjunction with other information / advice groups in the area. The management of Ballymun Community Law Centre will be community-based, with facilities to involve persons with particular skills or interests through co-options or sub-groups. The estimated first year costs of operation for Ballymun Community Law Centre is estimated to be:

- £ 43,000 Development stage
- £128,800 Staff costs
- £ 39,700 Non-staff requirements
- £ 25,500 Capital Expenditure
- £ 24,500 Rent

SECTION 14: ACTION PLAN

This Section provides an Action Plan timescale.

1. INTRODUCTION AND PROGRESS REPORT

Since January 1999 the Ballymun Community Law Centre Campaign Committee had been meeting regularly and has also held a number of public consultation meetings. The formal launch of the Ballymun Community Law Centre Campaign took place on Friday, 23rd July 1999.

During the period July 1999 to December 1999 a feasibility study was carried out and a report on this study was completed in January 2000.

A significant element of the feasibility study was the consultation process, which involved meetings with the following organisations:

- Ballymun Regeneration Limited (BRL)
- Coolock Community Law Centre
- Ballymun Community Action Programme (CAP)
- Ballymun Welfare Rights Group
- Men's Networking Resource Centre
- Free Legal Advice Centres (FLAC)
- Youth Action Programme (YAP)
- Ballymun Money Advice and Budgeting Services (MABS)
- Eastern Health Board – Community Welfare Service
- An Garda Síochána
- Dublin Corporation
- Women's Resource Centre
- Threshold
- Ballymun Housing Task Force
- Balcurris / Balbutcher Estate Forum
- Poppintree Estate Forum
- Ballymun Youthreach
- Linx Project
- Ballymun Men's Centre
- Ballymun Citizen Information Centre

Since the completion of the feasibility study the work to develop a community law centre in Ballymun has intensified. Meetings have been held with a range of agencies including the Area Committee of Dublin City Council, the Legal Aid Board and the Department of Social, Community and Family Affairs. The Legal Aid Board is now represented on the Ballymun Community Law Centre Committee and this is an important step in the development of a partnership approach to the delivery of the legal aid service as envisaged in the Feasibility Study (January 2000). Further meetings are being arranged with interested parties, including the Department of Justice, Equality and Law Reform

The Feasibility Study also signposted the need to develop alternative dispute resolution methods in conjunction with the Community Law Centre. This aspect has been progressed through a meeting with the Tallaght Mediation Project that gave a valuable insight into the kind of approach that could be developed in Ballymun.

The Ballymun Community Law Centre Committee has also recognised the need to employ a project development officer for the project at an early date. In this regard Dublin Corporation has committed to meeting 60% of the cost of this post and the Katharine Howard Foundation has also made a contribution. In addition organisations represented on the Campaign Committee have agreed to provide some matching funding through financial contributions to the development fund.

All of these developments are extremely encouraging and point to the real benefits of a partnership approach between local community groups, voluntary groups, statutory organisation, educational establishments, local government and state agencies. Ballymun is undergoing a process of change through regeneration that is unique in this country and its approach to meeting the need for a legal aid service must also be innovative and inclusive.

Ballymun Community Law Centre wishes to acknowledge the support of the Ballymun Partnership in the providing funding for the feasibility study and in the preparation of this Action Plan. Ballymun Community Law Centre also wishes to acknowledge Ballymun Regeneration Limited's assistance in providing administrative support and meeting room facilities throughout the campaign.

Dave Ellis (Community Legal Resource)
November 2000

WHAT IS A COMMUNITY LAW CENTRE?

For those reading this report who may not be familiar with the concept of a community law centre I think it is worth while giving a brief description of the concept and outlining the current position as to legal aid services in Ireland.

A community law centre is an independent and community-based service, which provides free legal aid and advice to individuals and groups in marginalised areas. It provides court and tribunal representation and usually concentrates on areas of law such as housing, debt, employment law, welfare rights, equality issues, and family law.

However a community law centre does not confine its work to individual casework. It also recognises that local information / advice / support groups also need to be able to use the legal resource available in the community law centre to assist them in their work. This strengthens the work of such groups and enables them to meet the needs of their users more effectively. In addition these groups may need a legal service to meet their own requirements, for example, in relation to company formation, or drawing up contracts of employment. Again the community law centre model will provide this service.

In marginalised communities there is often a lack of information on legal rights. A community law centre approach does not accept a situation whereby the service relies on assuming that citizens have sufficient information to know when to use the service. As a result a community law centre will disseminate information about the law using a range of methods from written material, to public education.

The community law centre will also engage in training projects for those working in local organisations.

Law reform is another element of a community law centre's work. Due to its casework a centre is in a good position to identify gaps in existing legislation. The community law centre model seeks to work with communities to develop ideas for filling those gaps and for presenting detailed proposals to government. In this way the issues that affect marginalised communities are advanced.

Community law centres are staffed by full-time solicitors and managed by community-based committees.

Although the Republic of Ireland has only one community law centre, which is situated in Coolock, the concept is commonplace in other jurisdictions including the United Kingdom. There is also a developed community law centre structure in Northern Ireland.

The State-funded Legal Aid Board in the Republic of Ireland operates a network of law centres. These centres concentrate on individual casework, mainly family law, and do not have community-based management committees. The nearest such centre to Ballymun is located in Finglas.

Finally there is the national non-statutory Free Legal Advice Centres (FLAC) this operates advice clinics on a voluntary basis. There is one such clinic in Ballymun, which operates from the public library two evenings per week.

3. BALLYMUN – AREA PROFILE

"Ballymun occupies one extreme of the spectrum of disadvantage covered by all of the Area Partnerships. The problems which arise from this are therefore more severe and interrelated than is the case in other areas, and people residing in Ballymun are clearly subjected to the highest level of cumulative deprivation." *Gamma Report commissioned by Ballymun Area Partnership Company (1995)*

The statistics behind this statement have been highlighted in many reports and it is not to repeat them in detail here. Suffice to say that the statistics demonstrate more than adequately a picture of a community indeed subjected to the highest level of deprivation, with

- High levels of unemployment, particularly long-term unemployment.
- The highest percentage of households headed by lone parents in the country
- 71% of local authority tenants solely dependent on social welfare.
- Only 7% of young people achieving leaving certificate level, 53% of children leaving school at 15. Just over 1% in education at 20 years of age compared with 8% nationally. These education statistics should be seen against a figure of 34% of the population being under 14 years of age, 8% above the national average.

Ballymun Masterplan Supporting Documentation – Ballymun Regeneration Ltd 1998

Unusually for Dublin there has been a population decline in the area and this coupled with low voter registration, (there was a low turn out of voters in the local elections of 1999), provides further evidence of the effects of extreme deprivation and marginalisation.

Against this background there is the positive aspect of a community organising itself to meet its own needs. There is a strong network of community groups and organisations in Ballymun. This network provides support services both of a general and specialist nature to the people living in the area. However the majority of these groups are under-resourced, many relying on community employment schemes, with the usual problems with high levels of staff turnover, which such schemes typically encounter.

The regeneration of the area has started and there is a commitment to tackle the effects of the past neglect. However deprivation within the community will take time to address even in the context of the regeneration project. It is against this background that the case for a Community Law Centre really needs to be assessed.

One part of building a new future for the people of Ballymun must be the development of information and advice services to meet the needs of a community facing huge changes. This Action Plan makes the point that a Community Law Centre is a vital part of an integrated approach to the provision of those information and advice services.

4. EXISTING SERVICES

Ballymun has a range of information/advice services both statutory and community-based. These community services provide a vital service and in the context of an integrated approach to the development of information services need to be properly resourced.

Legal services within the area are scarce. FLAC (Free Legal Advice Centres) operates a voluntary legal advice centre, two evenings per week, in the local public library. This is a strictly advice only service. There are no private solicitors operating in the immediate area.

The nearest Legal Aid Board Law centre is in Finglas. The general perception in the area is that this centre is not meeting the needs of the Ballymun Community. The reasons for this are considered to be (a) the long waiting list for legal services at the Finglas Centre (5½ months in June 1999), (b) travel to and from Finglas by public transport is not easy, particularly with children and it involves costs which are seen as expensive for people on social welfare and (c) the Legal Aid Board Service in Finglas is not seen by the community in Ballymun as a service for Ballymun.

5. MEETING AN UNMET NEED - AN OVERVIEW

The lack of legal services means that there is a major unmet need in Ballymun. Unmet need is often difficult to quantify as much of it largely goes unrecorded. During the consultation process a very clear picture emerged of many people seeking legal advice and representation from a variety of support and information services. These support and information services readily acknowledge that they often do not have the expertise to deal with legal issues, nor would they see their role as attempting to do so. Given the lack of a legal aid service, very often they have to do as the best they can, relying on whatever limited resources may be available.

Virtually all of the statutory and non-statutory services interviewed presented the same picture, but some examples may serve to illustrate the point:

Ballymun Welfare Rights – requests for legal advice on a range of issues including custody of children, domestic violence, consumer and employment issues.

Men's Network Resource Centre – between January and September 1999 the centre assisted 87 clients seeking legal advice in family law cases, compared with 75 in the whole of 1998.

Health Board Community Welfare Officers – in October 1999 they received approximately 30 requests for legal information, of which the main headings were family law and housing (accounting for one third each).

Women's Resource Centre – estimates that of the 2,600 people using its information services annually 25% are connected with legal queries including family law, housing, children's care proceedings and education issues.

The FLAC statistics for the period May – July 1999 show that 74 clients availed of its services in Ballymun. Family Law (33) was the main category, followed by Criminal (8), Housing (7), Wills & Succession (6) Personal Injury (6). The balance was made up of a range of queries covering access to Legal Aid and the Courts, Education Issues, Care Proceedings, Debt, Employment, Consumer, and Social Welfare.

In March 1999 the Ballymun Community Law Centre Committee undertook a survey of people using the local shopping centre and the adjacent church. As a result of that survey the following concerns were identified as key for a Community Law Centre.

- 90% - Housing
- 88% - Family Law
- 73% - Citizens Advice/Information
- 73% - Social Welfare
- 52% - Debt
- 42% - Employment

The evidence supporting the need for a legal aid service in Ballymun is clear. The other picture that emerged clearly from the consultation process was the presence of a vibrant community information sector. This sector would benefit from the support of a legal aid service, which could be a resource that would enhance the work of this sector.

The consultation process clearly demonstrated that these groups would use the Ballymun Community Law Centre a resource service, to provide back-up in relation to their casework, for training in legal issues for their workers and for legal expertise in developing submissions on legislative reform and research. This type of service can only be provided through the Community Law Centre. The Legal Aid Board provides an essential service through its centres, but it is a different service and one, which cannot address the needs of the community in Ballymun as these needs were expressed in the meetings with the various groups. This Action Plan presents the need for a community-based service working in partnership with the statutory service and complementing that service for the benefit of the people of Ballymun.

6. A VITAL RESOURCE FOR THE FUTURE

The development of the Ballymun Community Law Centre will be based on the following principles:

- ♦ It will provide a community-based legal service
- ♦ It will work to protect and promote the constitutional, legal and social rights of marginalised individuals and groups
- ♦ It will work with existing community organisations to complement and support their work
- ♦ It will provide an independent, professional, and confidential service
- ♦ It will be committed to a consistently excellent standard of service
- ♦ The service will be based on respect for individuals, and equality of treatment
- ♦ The service will seek to empower both the individuals and groups it works with.

The service will be provided through a combination of:

- ♦ Casework
- ♦ Community support work
- ♦ Training
- ♦ Information/education programmes
- ♦ Law reform, social policy work and research

Initially the catchment area of Ballymun Community Law Centre should be confined to Ballymun. Although a population at approximately 20,000 is relatively small for a Community Law Centre catchment area this needs to be seen in context. Given the scale of deprivation existing in the area and the regeneration programme, with its likely impact on Ballymun Community Law Centre's work, the size of the proposed catchment area can be fully justified. At a future date a wider catchment area might be considered in the light of developments, however the priority of Ballymun Community Law Centre for the foreseeable future should be the immediate Ballymun area.

Ballymun Community Law Centre should work closely with the Community Law Centre in Coolock. There should be a formal mechanism for the exchange of ideas, co-operation, and where appropriate the sharing of resources. However each centre should maintain its independence.

7. CASEWORK

7.1 General

Given the background to the area and the lack of existing legal services, it is hardly surprising that the consultation process revealed a wide range of casework which Ballymun Community Law Centre is likely to be called upon to deal with.

However such is the need for legal services in the area that it is unlikely Ballymun Community Law Centre will be in a position to meet all of that demand, and certainly not in its initial stage of development.

Faced with this dilemma, there was debate during the consultation process, as to whether Ballymun Community Law Centre should direct its work towards existing community groups rather than individual casework. However, given the demand for a legal service for individuals in need, it would not be realistic to restrict the services of Ballymun Community Law Centre in this way.

It is clear that Ballymun Community Law Centre will need to provide a casework service, but it will also have to prioritise its service in this regard. This will mean difficult choices, but these should be based on agreed criteria such as:

- ❑ *Is there an existing service available in the area that deals with the particular category?*
For example basic social welfare advocacy work is already being provided from a number of sources.
- ❑ *Could the need be met by supporting the development of an additional service in the area?*
For example, Ballymun Community Law Centre could work with an organisation such as Threshold to enable it to offer a housing advice service in the area on an outline basis
- ❑ *Could the need be met by a partnership with other services?*
For example, Ballymun Community Law Centre working with the Legal Aid Board.
- ❑ *Within a particular category is there a priority need?*
For example, in the social welfare category targeting appeals and test cases could be given priority.

7.2 Family Law

All the information available points to this being a priority category. A range of existing services is working to meet the need for advice and support. The Finglas Legal Aid Board Law Centre is available to people in Ballymun, although the indications are that only a limited number of the people needing legal aid are taking up this service for reasons outlined above.

Ballymun Community Law Centre will need to take on some work in this category. However this should be very much in conjunction with and by supporting existing services. Ballymun Community Law Centre should also establish a partnership with the Legal Aid Board, so that the statutory service could be provided through Ballymun Community Law Centre. This could be achieved by the Legal Aid Board providing an

outreach service from Finglas, or more satisfactorily through establishing a permanent base in Ballymun in conjunction with Ballymun Community Law Centre.

The partnership envisaged would break new ground. Such an approach would be new, but the regeneration of Ballymun demands of all services, both statutory and non-statutory, new thinking. The approach also has real merit in that it recognises the validity of, and the need for, different approaches to the delivery of legal aid services.

7.3 Housing

This category has been highlighted as a priority category. The issues under this heading include, rent arrears, repairs, dealing with anti-social behaviour, and the pending relocation of tenants under the regeneration programme.

Ballymun Community Law Centre will view this category as a definite priority area of work. The aim will be to provide an independent source of advice and representation for tenants. This work will help resolve disputes between tenants and the local authority in a more efficient manner and prevent such disputes escalating unnecessarily with the consequent drain on the resources of all concerned.

The service provided by Ballymun Community Law Centre will work closely with the existing Money Advice Budgeting Service centre in relation to rent arrears issues. In addition Ballymun Community Law Centre will support and facilitate the development of a specialist housing service, such as Threshold, in the area.

There was a suggestion in the consultation process that Ballymun Community Law Centre should become involved in conveyancing work, particularly in the context of the regeneration programme. However given the overall ethos of the centre, it is difficult to see how a free service of conveyancing could be justified. In addition such work could not be justified as a priority for the resources likely to be available to Ballymun Community Law Centre. As the regeneration programme gathers momentum there may be a need for initial advice to people on aspects of conveyancing. This is a service that Ballymun Community Law Centre might help to co-ordinate, but this should be the limit of its involvement.

7.4 Employment

Ballymun Community Law Centre is likely to face an increasing demand for work under this heading. The reasons for this are:

- increased levels of employment in the area, although such employment may often involve young people in non-union workplaces
- increased employment protection legislation, e.g. parental leave, employment equality, and minimum wage
- increased employment of an atypical nature, e.g. part-time, fixed-term, zero hours etc.

This will involve representation work, in particular, before rights commissioners and employment appeals tribunal, work that is not undertaken by the Legal Aid Board. It is

also a category not specifically covered by existing services in Ballymun. The Ballymun Community Law Centre role will be to concentrate on non-union employees and to work with the trade unions to ensure as high a level of union membership as possible.

7.5 Social Welfare/Health Board Services

Information and advice is already provided by a number of local organisations. Ballymun Community Law Centre will therefore prioritise its involvement to more complex appeals and test cases. It should be noted that the Legal Aid Board does not deal with social welfare appeals.

7.6 Equality

Inequality has been a daily reality for people living in Ballymun. There has been inequality in housing, education, social services, employment, income support, and in access to the legal system. All sectors of the community have been marginalised and affected by some or all of these inequalities. The regeneration programme will hopefully address issues of inequality and ensure that the benefits are targeted at groups most affected. Ballymun Community Law Centre should take up a broad range of equality issues as a key element of its work.

New equality legislation is now in operation and this will mean demands on Ballymun Community Law Centre. However gaps remain in many areas, not least in relation to access by people with disabilities to employment opportunities.

Equality of access to education has also been identified as an issue of importance during the consultation process. This includes the need for parents to have access to independent legal advice in, for example, instances of their children being expelled or suspended from school.

This category will require a diversity of approach, but under the heading of casework, a test case strategy may be of particular benefit.

7.7 Criminal Law

Although there are difficulties for people living in Ballymun wishing to access the criminal legal aid scheme, nevertheless the scheme is available and Ballymun Community Law Centre should not engage directly in this work. Ballymun Community Law Centre should however seek to encourage private solicitors, providing criminal legal aid, to operate in Ballymun. This might initially be, for example, on an outreach basis. Ballymun Community Law Centre should provide information on rights and train youth workers and workers with drugs services in relevant aspects of criminal law.

7.8 Debt

The Ballymun Money Advice Budgeting Services Centre dealt with nearly 8,500 queries in 1998. In discussion with the service during the consultation process it was clear that the role for Ballymun Community Law Centre regarding this category should be to offer back-up support and to take on particularly complex cases or cases involving a particular issue of law.

8. COMMUNITY SUPPORT WORK

This work will cover the following aspects:

- ❑ Back-up advice service for information groups – for example the Welfare Rights Centre, the Women's Resource Centre, the Men's Network Resource Centre and Money Advice Budgeting Services. This service might also be of benefit to Citizens Information Centres in the area, and Ballymun Community Law Centre might consider a formal arrangement with Comhairle to provide this service.
- ❑ Referral service – taking referrals from organisations of cases which come within the overall casework strategy adopted for Ballymun Community Law Centre – for example, taking on complex appeals or social welfare test cases
- ❑ Legal support service for community groups, for example, on setting up legal structures such as company limited by guarantee and entering into leases.
- ❑ Working in conjunction with community organisations to secure the development of other services needed in the area – for example, a comprehensive mediation service was identified as a need during the consultation process.

9. TRAINING

Ballymun Community Law Centre will prioritise training work to enable community groups to deal with particular aspects of their work. Key areas of such training should be:

- ❑ Social Welfare / Health Board legislation for welfare rights information services
- ❑ Representation of claimants at appeals and other advocacy training.
- ❑ Family law for organisations offering support and advice in this field
- ❑ Equality issues
- ❑ Criminal law in particular for youth workers and workers in drugs services
- ❑ Debt in particular for Money Advice Budgeting Services advisors
- ❑ Housing issues in particular for groups involved with tenants including estate forums
- ❑ Local management boards in areas such as good employment practice and company structure issues.

While training will be in the main offered to non-statutory bodies, the service could be of assistance to state agencies operating at local level.

10. INFORMATION

In a disadvantaged community such as Ballymun access to information on legal rights is restricted. Ballymun Community Law Centre will adopt a proactive role to the dissemination of information and engage in a wide range of activities through community groups, adult education and local schools, for example. This work will not only serve to increase awareness but will also help in identifying instances of hidden unmet need for legal services.

Ballymun Community Law Centre will also be aware that it will need to promote and publicise its service on an on-going basis throughout the entire community.

11. LAW REFORM/SOCIAL POLICY

A key element of Ballymun Community Law Centre's work will be to identify gaps in legislative provisions and to actively seek to extend the bounds of the law through a test case strategy. It will be important that this work is pursued in conjunction with local community groups. An example suggested during the consultation process was the development of alternative dispute resolution methods.

In addition Ballymun Community Law Centre will offer a back-up service of legal advice to community groups formulating submissions in relation to law reform and social policy issues, and in the area of research into such issues.

12. SERVICE DELIVERY

- Ballymun Community Law Centre should be based in a **central location**, which is easily accessible. Options in relation to premises are discussed below
- Ballymun Community Law Centre will operate **outreach services** for advice within different parts of Ballymun. Premises used should be fully accessible and enable a confidential service to be provided. Where it is necessary to pursue a case following contact at the advice service, future consultations should take place at Ballymun Community Law Centre premises. Although it was suggested during the consultation process that cases could be dealt with on an on-going basis at the outreach services, this is not considered practicable. For example, it would not be practicable for the solicitor to have to transport confidential files between locations and urgent situations are more appropriately dealt with where the solicitor has access to full back-up facilities.
- Ballymun Community Law Centre should form part of an **overall plan for the area with regard to information / advice / representation**. In certain instances broader issues could be dealt with through sub-groups that would bring together key interested groups to provide a co-ordinated service. For example, on the issue of domestic violence, Ballymun Community Law Centre, the Gardai, the Health Board, the local authority, the Women's Resource Centre could form a group to identify gaps in services such as the need for a local refuge and set about getting one

established. Such sub -groups would of course operate within the bounds of the confidentiality due clients of the different services.

- Ballymun Community Law Centre will seek to develop a range of **alternative dispute resolution** methods including a comprehensive community mediation service
- The services provided by Ballymun Community Law Centre should be **free**. An exception could arise in relation to training work where the service was being provided to a state agency or a community group that had received funding for a particular project. However even in the case of training, such services should not be made dependent on an organisation's ability to pay.

13 BUSINESS PLAN

13.1 Staff

Development Stage:

The Ballymun Community Law Centre Committee has identified the need to employ a **Project Development Officer** to ensure the continued progress of the project. The officer will take overall responsibility, in conjunction with Ballymun Community Law Centre Campaign Committee, to secure funding, address issues in connection with premises and develop further the concept of the centre as outlined in this Action Plan and in the Feasibility Study. The officer will play a vital role in planning for the mediation service, which has been identified as an integral part of the overall project.

Operational Stage:

During the consultation process there was considerable discussion about the staffing level at which it would be possible to start up Ballymun Community Law Centre. Some argued that it should open, with a very minimal staffing level if necessary, while others pointed to the disadvantages of such an approach. The arguments for and against can be summarised as follows:

Advantages:

- the need for legal services in Ballymun is so urgent that anything is better than nothing
- the opening of Ballymun Community Law Centre at the earliest possible date (even with a very limited service) would give the project an immediate profile. This could then be used to attract further much needed support for the project.

Disadvantages:

- starting at a low base can result in a service being left in that state for a long period
- the expectations of community groups and clients could be disappointed because of the inability of Ballymun Community Law Centre to meet a major part of the demands being placed on it. This could damage the perception of the service from the outset

Taking these arguments on board, what is needed is a staffing level that will fulfil the basic requirements set out in this Action Plan. Therefore it is necessary to look to a service that will meet the following requirements from the outset:

- ☐ a professional/quality service
- ☐ an adequate level of staff cover and support
- ☐ an adequate level of staff to undertake the priority work for Ballymun Community Law Centre set out here.

Applying these criteria, the following is the recommended minimum staffing level at which Ballymun Community Law Centre needs to achieve within the first year of operation.

Senior solicitor (at least 3 years experience) who would have overall responsibility for dealing with the legal aid work of Ballymun Community Law Centre. In addition the senior solicitor have overall charge of the running Ballymun Community Law Centre.

Assistant solicitor who would work under the supervision of the senior solicitor and would have special responsibility for training and law reform work and research.

Development officer who would for the efficient administrative running of Ballymun Community Law Centre and would be responsible for implementing the development plans under the direction of the Management Board. The Development Officer would report to the Senior Solicitor.

Secretary/Administrator who would be responsible for (administration including bookkeeping) of the Ballymun Community Law Centre under the direction of the Development Officer.

Receptionist who would be responsible for "front office" direction of under direction of development officer.

13.2 Premises

Following the consultation process the following emerged as key basic criteria for selecting premises:

- ☐ central location within Ballymun
- ☐ fully accessible to all members of the public
- ☐ adequate facilities to ensure confidentiality
- ☐ adequate facilities to ensure reasonable facilities for staff and clients
- ☐ maintaining the independence of Ballymun Community Law Centre
- ☐ ability to accommodate the minimum staff requirements of Ballymun Community Law Centre
- ☐ compliance with health and safety standards

The most realistic approach will be to acquire interim premises, while developing a long-term option, for example, in the new Arts/Community Centre, or to acquire new premises, on the new main street. No firm proposals can be made until the issue of long term funding has been sorted out.

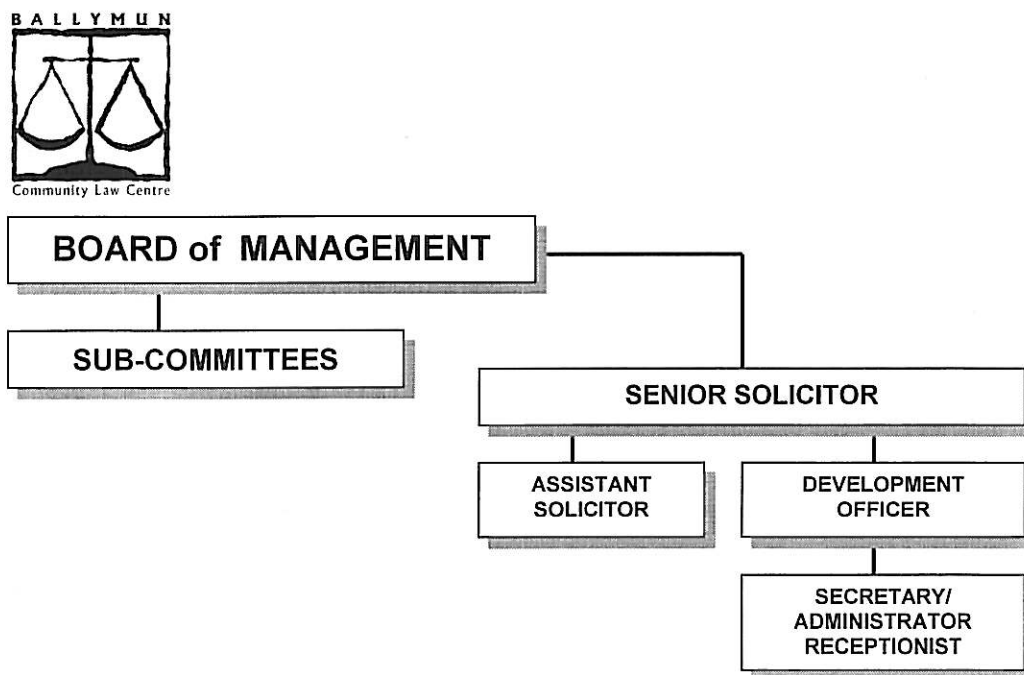
Either of these long-term options are likely to involve some level of linked development with other information/advice providers. In the case of the Arts/Community Centre this would ideally see a number of information agencies based in the centre allowing for close co-operation. New premises are only likely to be feasible if a number of organisations come together with Ballymun Community Law Centre in their development. This would allow for the planned sharing of facilities between the various projects involved. Either option fosters the development of the type of integrated approach to the delivery of information/advice services favoured the campaign committee. Although tentative discussions and agreements have occurred there is no point in pursuing these options in the absence of clarify regarding future funding proposals.

13.3 Management

Ballymun Community Law Centre should be a company limited by guarantee and should have the following structure:

BALLYMUN COMMUNITY LAW CENTRE LTD BOARD OF MANAGEMENT.

- (a) Directors, elected by the Members of the Company, and would be in the majority
- (b) Nominees of statutory agencies
- (c) Co-options e.g. persons with particular expertise required by Ballymun Community Law Centre (the number of co-options to be determined by the members)
- (d) Elected staff representative



Specialist Sub-Committees established by the Board:

- Directors
- Staff
- Co-options

As stated above the majority of the directors will be elected by the members of Ballymun Community Law Centre Ltd. The precise make up of the membership of the company will require detailed discussion and is beyond the scope of this Action Plan. However in broad terms the membership of Ballymun Community Law Centre should

be as representative of the people of the Ballymun Area as possible. This will ensure that the Ballymun Community Law Centre remains responsive to the needs of the community. Particular attention should be paid to ensuring that the users of the service are able to give their views on the development of services. The membership should also be such that at all times Ballymun Community Law Centre is accountable to the community and to its funders regarding the use of the resources at its disposal in the most effective and efficient manner.

13.4 Costings

£

13.4.1 Development Stage

Costs including recruitment of a Project Development Officer, set up costs and interim premises

43,000

13.4.2 Estimated Annual Operational Costs

Staff (Two Solicitors/Development Officer/Secretarial and Administrative Support/Receptionist)

128,800

Non-staff costs (Including phones/stationery /heat and lighting/training/insurance)

39,700

Premises Rental

24,200

Initial Capital Expenditure (Including publications/ computers/furniture)

15,500

13.4.3 Possible sources of funding or other resources for Ballymun Community Law Centre:

Possible sources of core funding:

- Department of Justice, Equality and Law Reform
- Department of Social, Community and Family Affairs
- Comhairle
- Eastern Regional Health Authority
- Dublin Corporation

Possible sources of start-up or other limited grant aid funding:

- Suitors Fund
- Ballymun Partnership
- Ballymun Regeneration Limited
- Combat Poverty Agency
- EU funds
- Legal profession – Governing Bodies

- Local Authority
- National Lottery
- Charitable Trusts/Foundations
- Educational Institutions
- Trade Union Movement

Possible sources of joint service provision or other resources:

- Legal Aid Board
- National Non-Statutory agencies (e.g. Threshold/Mediation Service)

14. ACTION PLAN TIMESCALE

Development	Initial stage
November 2000	Launch Ballymun Community Law Centre Action Plan
December 2000/January 2001	Complete funding arrangements for the recruitment etc of the Development Officer
January/February 2001	Recruit & appoint Development officer
March 2001	Development Officer commences
September 2001	Complete initial stage of development/ Review set up stage timetable

Development	Set up Stage
October – December 2001	Recruit staff / develop interim premises etc
January 2002	Launch service

SUMMARY

The future of the Ballymun Community Law Centre depends on the level of support, assistance and sponsorship, which it receives.

In reality it cannot happen without the support of the Department of Justice, Equality and Law Reform. This department does not currently fund Community Law Centres, the one in Coolock is funded by the Department of Social Community and Family Affairs. It is understandable that there should be concern at Government level about the cost of legal services to the state, however Ballymun Community Law Centre is seeking a modest level of annual funding and is prepared to commit to working within this budget with albeit some arrangement to take account of inflation.

In light of the Government's stated commitment to the Voluntary Sector and to the ideal of an integrated, partnership approach to service delivery at local level it seems inconceivable that there should be Government resistance to the ideas of a Community Law Centre model as set out in this Action Plan.

Having read this Action Plan if you agree that a Community Law Centre would best meet the needs of Ballymun. In addition the Community Law Centre Committee would be grateful to receive your views and comments on the report. Please give us your support, assistance, advice or sponsorship.