

# Ballymun Community Law Centre



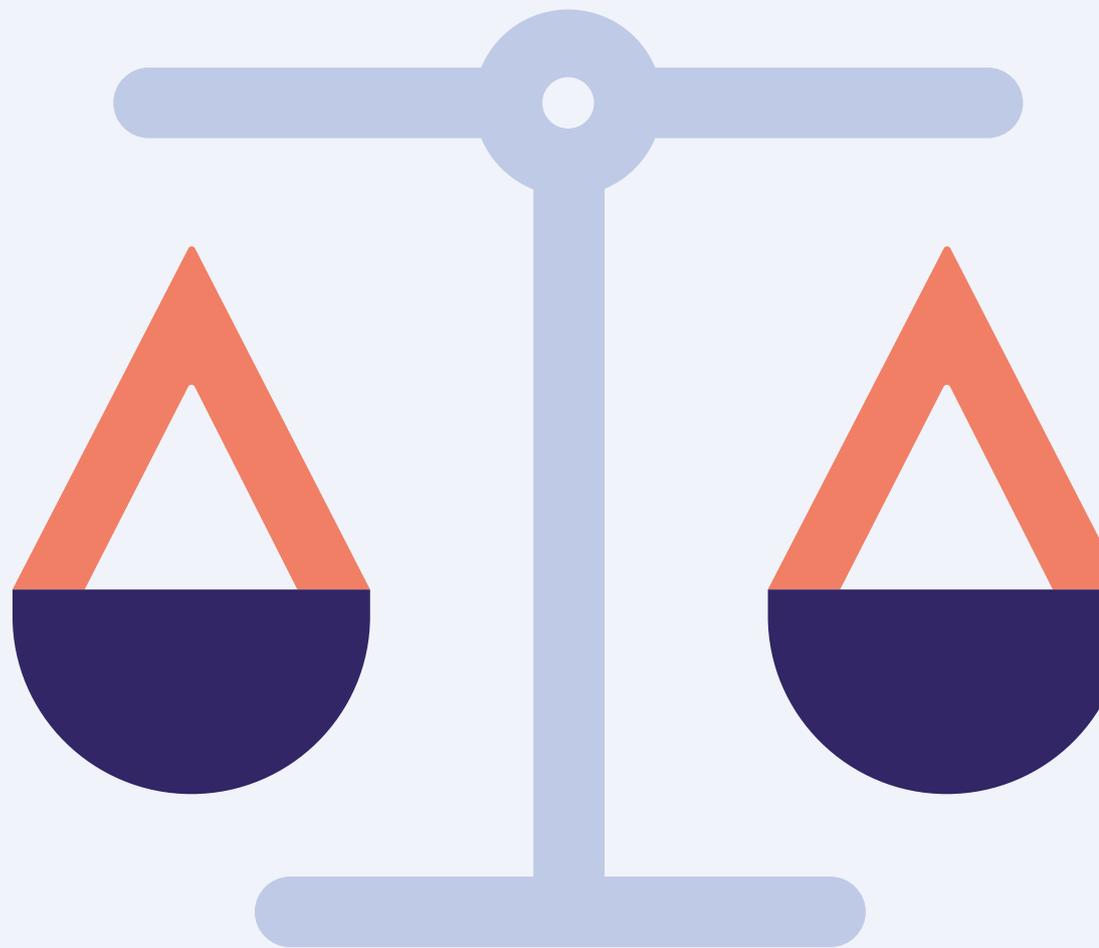
Legal Advice



Education



Mediation



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**Annual Report 2017**

# Welcome

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# Contact Details & Advice Clinics

## Our Office

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### Ballymun Community Law Centre

Unit 1A Shangan Neighbourhood Centre,  
Shangan Road,  
Ballymun,  
Dublin 9.

Tel: (01) 862 58 05

Fax: (01) 891 68 48

Email: [info@bclc.ie](mailto:info@bclc.ie)

Website: [www.bclc.ie](http://www.bclc.ie)

### Opening Hours

Monday to Friday: 9am - 1pm, 2pm - 5pm.

## Local Advice Clinics

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### Local Employment Office

**First Tuesday** of every month:

Civic Centre,  
Main Street,  
Ballymun.

10am - 12 noon.

### Ballymun Library

**Second Tuesday** of every month:

Ballymun Road.

10am - 12 noon.

### Poppintree Sports Centre

**Third Tuesday** of every month:

Poppintree.

10am - 12 noon.

### Ballymun Child and Family Resource Centre

**Fourth Tuesday** of every month:

Shangan Green,  
Ballymun .

10am - 12 noon.

# Board of Directors & Staff

## Directors

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### Chair

Evelyn Hanlon (resigned in July 2017)  
Catherine Hickey

### Vice-chair

Karl Murphy (elected in July 2017)

### Secretary

Trish Flynn

### Treasurer

Olivia Smith (resigned in July 2017)  
Antoinette Doyle  
Fiona Gallagher  
Valerie O'Carroll  
Pat Gilheaney  
Frank Murphy  
Paul Kane.

## Staff

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**Legal Executive** – full time Job Initiative programme  
Christina Beresford

**Project Officer** – 3 days a week  
Sonya Keniry

**Managing Solicitor** – full time  
Mikayla Sherlock

**Solicitor / Legal Education Coordinator**  
Frank Murphy

**Finance & Administration Manager** – 2 days a week  
Trish Flynn (resigned in July 2017)

**Manager** – 3 days a week  
Ciara Murray (appointed in September 2017).

# Chairperson's Report

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“Our mission is to work towards an inclusive community based on equal human rights and social justice, and to support the people of Ballymun to access justice as a human right.”

### 2017 saw a number of changes in the law centre.

In June Evelyn Hanlon, our founding chairperson, informed the Board that she would be resigning as Chairperson of the Law Centre. Evelyn was instrumental in establishing the Law Centre and had a great vision for how we could deliver services to meet unmet legal need in Ballymun. The Board would like to acknowledge Evelyn's invaluable contribution over the past fifteen years.

In June Dr. Olivia Smith also resigned her position as a Director. Olivia regularly contributed to the Law Centre's Community Legal Education Programme in addition to her work as a Director and her contribution is greatly appreciated.

We were also sorry to say goodbye to Trish Flynn, our Finance and Administration Manager, who left the organisation at the end of July to take up a new role. During her long association with the Law Centre, Trish developed a range of services to meet the needs of the community in Ballymun and ensured that the Law Centre was sustainable. We are very grateful to Trish for her work and we wish her well in her future career.

In September we welcomed Ciara Murray as manager of the Law Centre. Ciara brings a wealth of knowledge and expertise together with a passion for community law provision.

Throughout 2017 our solicitors continued to represent clients in a variety of civil law cases and to provide legal information and advice to local people and organisations. Legal matters involving family, housing and employment law continue to dominate the needs of those presenting at the outreach advice clinics.

The Law Centre played an important role in a Collective Complaint to the European Committee of Social Rights, who published their decision in October. The Collective Complaint, the result of five years of evidence gathering across communities in 20 local authority housing estates, was coordinated by Community Action Network and assisted by The Centre for Housing Law, Rights and Policy at National University Galway, Ballymun Community Law Centre, Dr Rory Hearne of the Geography Department at NUI Maynooth and the Irish Traveller Movement.

The Committee found Ireland in violation of Article 16 of the Revised Social Charter by failing to provide adequate conditions for families living in local authority housing.

As in previous years, our Legal Education Programme, which delivers accredited training along with lunchtime talks, was delivered in partnership with Community Law and Mediation.

As part of our Mediation Training Programme, and with funding from IPB Insurance, we delivered a new course in Conflict Coaching. All participants completed the course successfully and can now be supported by the Law Centre to deliver conflict management skills to the community of Ballymun. The service provided by the 10 new conflict coaches will complement the existing mediation service.

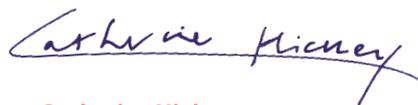
This year we launched our new website and facebook page with the aim of developing digital accessible legal and education resources. This was made possible through support from PILA, through the Public Interest Law Support Fund.

Much of the work of the Law Centre could not be delivered without our volunteers; mediators, barristers, teachers, lecturers, and organisation leaders. To all our volunteers, thank you for your generosity of time and on-going dedication to provide legal, education and mediation services to the people of Ballymun. A particular mention must be given to Mr Frank Murphy who is the driving force of the legal education programme and our family law advice and information service.

In 2017, Dublin City Council continued to fund us through the Social Regeneration Programme as well as providing us with modern fit for purpose office premises in Shangan Neighbourhood Centre. We are very grateful to Dublin City Council for their ongoing support.

I would also like to thank the members of the Law Society of Ireland who generously support the Law Centre.

Finally, I would like to thank my fellow board members and the staff team at the Law Centre for their support throughout the year.



**Catherine Hickey**

Chairperson, Ballymun Community Law Centre.

# Our Mission, Values & Strategic Objectives

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“We understand your legal problems  
and we are here to help.”

## Mission

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Ballymun Community Law Centre (BCLC) is an independent not-for-profit community based law centre. BCLC provides free legal advice, representation, legal education and mediation services for individuals and groups within the community. Our mission is to work towards an inclusive community based on equal human rights and social justice, and to support the people of Ballymun to access justice as a human right.

## Values

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- We are committed to the principles of human rights, social justice, and equality.
- We are dedicated to the provision of high quality, accessible services.
- We strive to ensure that our systems and practices demonstrate integrity, transparency, and accountability.  
We are committed to developing community engagement with the law so that returns on public investment in our centre benefit as many as possible.
- We are committed to working in partnership with other organisations in order to deliver coordinated and targeted services.

## Our Strategic Objectives

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BCLC's principal objective is to improve access to justice for people in Ballymun. To achieve this we operate in five core areas of business.

## Legal Services

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- Provision of legal advice, advocacy and representation services to the people of Ballymun.
- Providing advice and assistance by way of general advice and information, and referrals to other services as appropriate.

## Legal Education & Training

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- Providing legal education and training to facilitate greater community legal knowledge and to support the progression of Ballymun residents into legal education and the legal professions. This objective is delivered through a legal education programme which is accessible to participants from other communities.

## Mediation Services

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- Promotion of mediation as a concept for dispute resolution in Ballymun.
- Provision of peer, family and community mediation services using trained volunteer mediators.

## Mediation Education & Training

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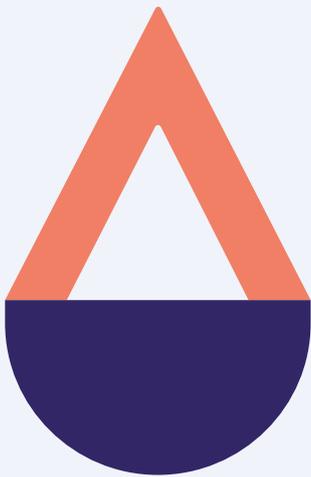
- Provision of accredited mediation education and training.

## Public Policy Development & Law Reform Debate

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- Engagement in public policy development and law reform debate.

# Legal Services



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“The law centre changed our life, now we can look forward to Christmas.”

**Service user whose home was secured following legal representation.**

## Legal Services

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Ballymun Community Law Centre (BCLC) provides legal advice, information and representation services to the people of Ballymun. The main areas of civil law that we work in are: housing, debt, consumer, equality, health, social welfare and employment. BCLC also delivers an information and advice only service in the area of family law.

- In 2017 BCLC held 42 legal outreach clinics in Ballymun and 47 family law clinics.
- In 2017 housing related issues continued to be the main area of enquiry.
- In 2017 a significant cohort of clients presented with vulnerabilities requiring support services in addition to legal support. Specifically, mental health support and counselling services.
- In 2017, BCLC dealt with 437 legal matters. Client engagement might involve a simple once off matter, or a more complex multi issue legal problem.

## Information and advice

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The legal information service we provide refers to once off contacts with our office. Legal information is provided by our legal executive. Many of these queries are referred to us from other agencies, or people make contact based on word of mouth referrals from those who have used the service in the past.

People often contact the office for explanation, clarification and reassurance with respect to legal issues and legal proceedings; for example, a person may contact the centre in some distress, unable to articulate the specifics of their legal problem. These calls require a triage type service and internal referral to our solicitor where appropriate. Common areas of enquiry relate to family law matters.

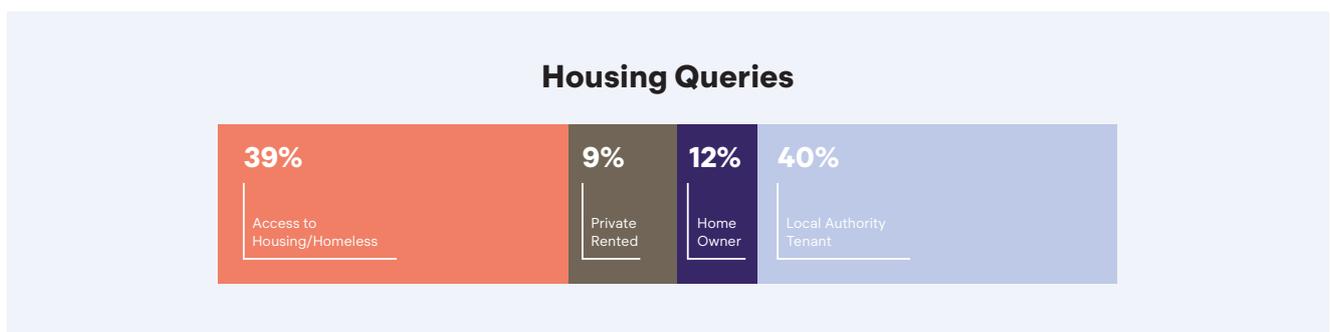
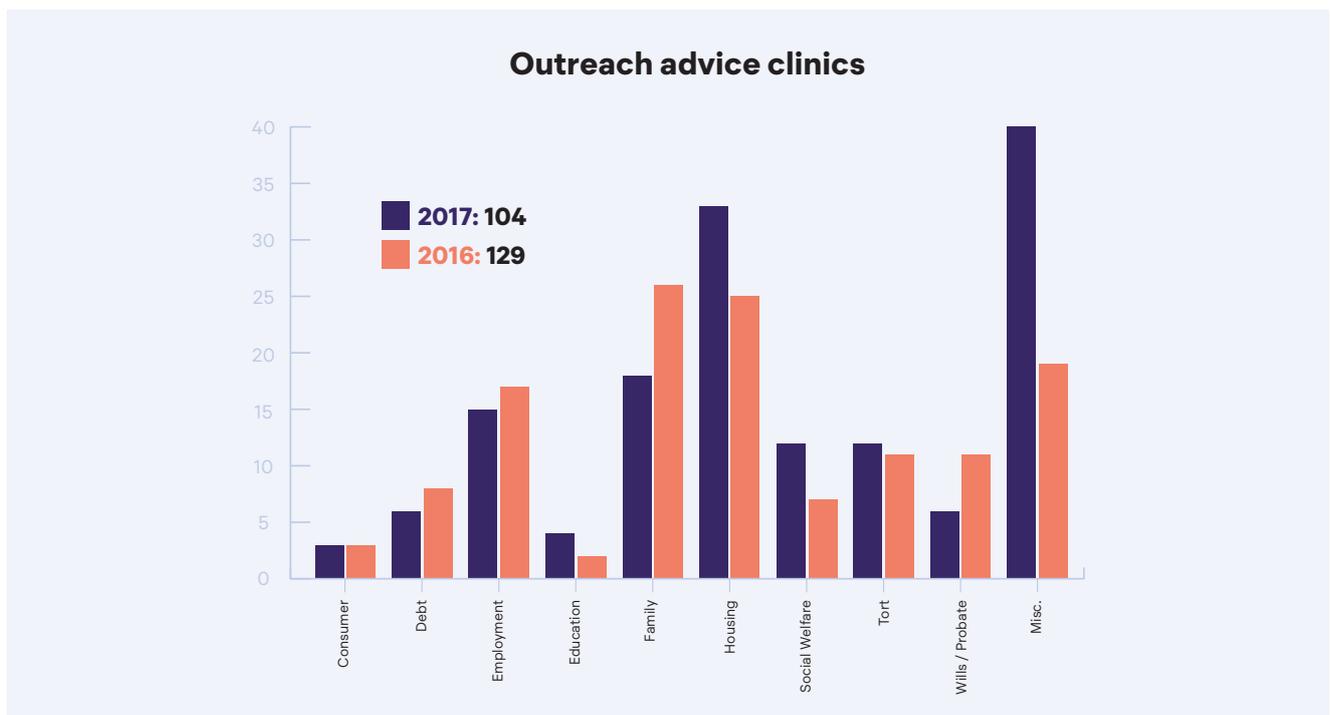
- In 2017 there were 237 once off contacts made to BCLC from people looking for legal information and advice.

## Outreach Advice Clinics

Throughout 2017 BCLC continued to provide regular and accessible free legal advice clinics in the community. Forty two clinics took place over the course of the year. This number does not include the family law clinics. A review of the statistics from the outreach clinics reveals the highest demand for legal information and advice is in the area of housing, family and employment law.

The miscellaneous category (40) includes matters that might arise only a few times, or issues that might be appropriately referred to another service. Matters include: company/commercial, nursing home/health, capacity, conveyancing, immigration, criminal, finance, anti-social behaviour/community safety. Where we can provide assistance, such as in the area of community mediation or further, the matter is referred internally for follow up.

It continues to be the case that the queries and cases undertaken by BCLC are complicated by the nature of the problems faced by the community and the challenge of navigating multiple administrative systems and organisations in order to address the issues that present. Furthermore, of those presenting there is a significant number who require ancillary support services such as mental health supports, mediation and family support services and counselling. The inherent vulnerability of many clients therefore requires a more holistic approach to service delivery.

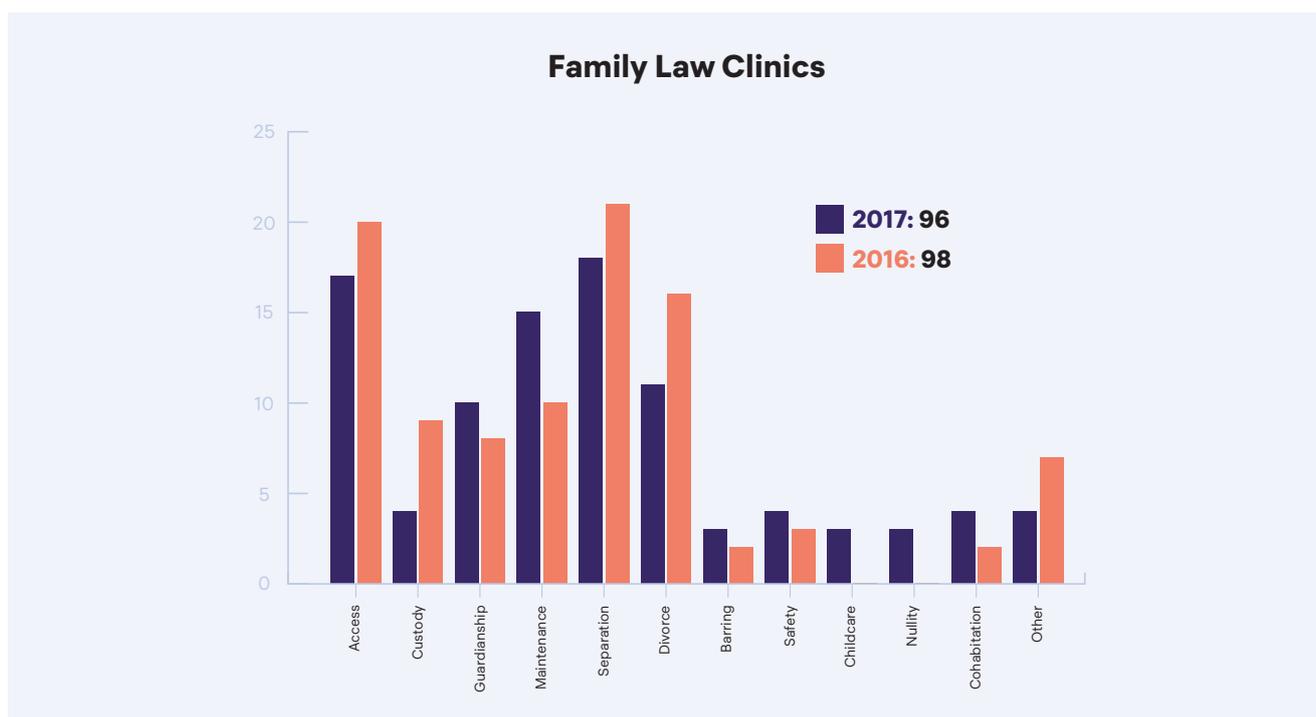


## Housing Queries

Housing related matters are the most common category of enquiry presenting. As the housing demographic in the community is predominantly social housing tenancies, this is reflected in the nature of the enquiries. Often the issues are complex and can relate to eviction, rent and supply/access issues. Allied to this are enquiries that concern local authority and private tenancy issues concurrently. This is due to the increase in the number of people accessing the Housing Assistance Payment (HAP) as a social housing support, and the increase in the numbers presenting to services as homeless. There has been a marked increase in enquiries in this area.

## Family Law Clinics

There were 47 family law clinics held in 2017. The clinics take place every Wednesday and attendance is by appointment only. The service covers all areas that fall within the family law category. The clinics provide advice on legislation and procedures and information on family mediation is also provided. A client might present with multiple issues; for example, an enquiry about child maintenance and a matter relating to access and/or guardianship rights. Our aim in providing the service is to ensure that clients are more empowered and informed in relation to family law matters particularly in circumstances where they will be accessing other legal services, mediation and/or dealing with family court proceedings. Where appropriate referrals are made to the Legal Aid Board and/private solicitors and other relevant agencies.



## Referrals

Organisation	Family law referrals 2016	Family law referrals 2017
Legal Aid Board	61	59
Private Solicitor	14	7
Counselling	42	32
Mediation	49	41
Other	2	13

# Legal Education Programme



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“Time for another LEAP in the dark. Over a decade ago BCLC was honoured to team up with Community Legal Resource, the Irish Traveller Movement, FÁS and Trinity College Dublin for the Legal Education for All Project (LEAP). This project aimed to develop access routes to legal education. BCLC is still working towards this goal – legal education for all.”

**Frank Murphy, Solicitor and Legal education Coordinator.**

## Legal Education Programme

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Our Legal Education Programme for 2017 was managed, and in many cases delivered, by Mr. Frank Murphy with the assistance of Christina Beresford. A number of presenters gave their time freely to BCLC, their generosity reflected in the diversity and richness of the programme we were able to deliver. We are as always grateful for their generosity.

In 2017, in partnership with Community Law and Mediation, BCLC delivered two accredited training courses; Employment Rights Advocacy and Family Rights Advocacy. In addition, we were privileged to have Professor Gerry Whyte deliver a comprehensive training course on the Social Welfare Code. BCLC also offered an introductory course on Family Law, as well as facilitating a Law Club at Trinity Comprehensive School.

Finally, as in previous years, BCLC hosted a series of lunchtime talks, one hour talks delivered by experts in their field.

### Lunchtime Talk Series

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#### **1 February 2017: 3000 Acts and Revenge Porn**

The Law Reform Commission (Ray Byrne and Owen Garvey) presented its' report on "Harmful Communications and Digital Safety" and a paper on "Accessibility, Consolidation and Online Publication of Legislation".

#### **25 September 2017: Civil Legal Aid**

John McDaid, Chief Executive of the Legal Aid Board, examined the Civil Legal Aid Act 1995, the Civil Legal Aid Regulations and the work of the Legal Aid Board.

#### **9 October 2017: The Role of Mediation**

Sonya Keniry, Project Officer with Ballymun Community Law Centre, explained the mediation process, how people come together to discuss and attempt to solve their differences with a neutral mediator.

#### **6 November 2017: Amen Support Services**

Aoife McGrath explained the work of AMEN and how it campaigns for greater recognition and support services for male victims of domestic violence, and for greater inclusion of men, men's groups and men's experiences in the formulation of relevant social policy and legislation.

#### **12 December 2017: Women's Aid**

Ruth O'Dea, Manager of Training and Development at Women's Aid, explained the work of Women's Aid in supporting female victims of domestic violence.

### Training Courses 2017

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#### **Introduction to Family Law**

This course ran over four mornings from Monday 12 June. The course examined the legal framework as set out in the Constitution, legislation, case law and the European Convention on Human Rights. The course considered the practical application of the law in relation to family, children, child care, maintenance, cohabitation, marriage, separation and divorce.

#### **Social Welfare Law**

This course ran over 6 weeks (half day a week) from Monday 13 June 2017. Professor Gerry Whyte (Trinity College Law School) delivered this course on the Social Welfare Code, the body of statute governing the provision of welfare income supports. Students became familiar with the statutory framework as it applies to jobseekers, those who are sick or ill, and pensioners. Professor Whyte also examined the statutory framework as it applies to means testing and the Social Welfare Appeals Process.

#### **Family Rights Advocacy (QQI Accredited)**

This course ran over 12 weeks (half day a week) from Monday 11 September 2017. This course provided students with a basic understanding of the Irish legal system and family law. Students developed an awareness of the main features of family law, how legislation impacts on relationships and became familiar with the legal language, procedures and court documents

relevant to family law. Students also developed skills in reflection, advocacy, and the ability to apply what they learned in the workplace.

#### **Employment Rights Advocacy (QQI Accredited)**

This course ran over 12 weeks (half day a week) from Tuesday 12 September 2017. This course provided students with a basic understanding of the Irish legal system and employment law in Ireland. Students developed an awareness of the main features of employment law and an understanding with regard to how legislation impacts on the employment relationship. Students also became familiar with the legal language, procedures and documents relevant to the area of employment law. Students also developed their advocacy skills and an ability to apply what they learned in the workplace.

#### **Trinity Comprehensive School Law Club**

As in previous years, BCLC facilitated a Law Club at Trinity Comprehensive School. Students participated in four classes on topics that included the Irish Legal System, the Constitution, European Law, and how the Courts operate when hearing cases. Students also examined some of the most topical cases that were of interest to them.

# Mediation Services



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“The Virgin Mary Boy’s National school have been involved in the Peer Mediation Programme for many years and we hope to continue for many more. Working with Sonya Keniry, our 5th class boys engage in a structured programme that teaches the valuable lifelong skills needed for conflict resolution. The boys actually learn how to mediate a conflict and help those involved to find and agree solutions. We have found it invaluable with helping the pupils to deal with difficult situations, both in and outside school.”

**Deirdre Lonergan, Deputy Principal.**

## Mediation Services

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2017 was another busy year, the law centre continuing to provide family and community mediation services. The mediation service is delivered on a pro bono basis by a core group of qualified mediators. BCLC is grateful to all our mediators who continue to provide their time and dedication to support this work.

2017 also provided an opportunity for development thanks to funding secured from IPB Insurance. A new Conflict Coaching Course was delivered which will in turn enable us to provide a new service to the community.

As with previous years, we continued to work with local schools to facilitate a Peer Mediation Programme, and we continue to work as part of a network with the Courts Service of Ireland to ensure effective referral of cases from the courts.

### Community Mediation

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- In 2017 there were 15 referrals to BCLC for community mediation services.

Throughout the year the law centre received regular enquiries from Ballymun residents considering community mediation as a means to resolve disputes. Fifteen of these enquiries resulted in mediation referrals.

The predominant area involved interfamily disputes where one party identified mediation as a potential means of support in order to reach a resolution.

Interfamily disputes concerning financial issues, property and division of care for dependant family members were mediated successfully in 2017 and the feedback has been very positive.

Other cases reflect the difficulties involved in bringing several individuals to the table, particularly where one or more parties are uniquely vulnerable, as in the case of young persons. In these circumstances the challenge is to persuade the person, or persons, that mediation can offer a safe supportive means of being heard and hearing others. Once engaged, the possibility of a positive outcome is more likely.

As in previous years, parties to noise disputes required our community mediation service.

### Family Mediation

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- In 2017 there were 32 sessions facilitated by accredited mediators and 19 new referrals to the service.

There has been an increase in the time needed to support the variety and complexity of the issues presenting for family mediation. Matters relate to blended families, couples whose first language is not English as well as an increase in the number of cases where one or other participant asserts that they are fearful of the other participant to the mediation. Particular cases can present challenging circumstances which reinforce our obligation to ensure that each participant fully understands the mediation process.

Given the nature of the issues presenting the law centre does not operate a long waiting list. If the number of parties waiting exceeds four, referrals are made to other organisations where possible.

- Of the 19 cases referred to the services in 2017, 6 proceeded to full mediation cases.

## Peer Mediation in Ballymun schools

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Peer mediation is an internationally recognised programme of conflict resolution aimed at children aged 11 and 12, who are usually in 5th and 6th class. 2017 marked the eighth year in which BCLC delivered a peer mediation programme in Ballymun Schools.

In 2017 BCLC worked with Dermot Cafferty of Virgin Mary Boys School and Trish Nolan of Virgin Mary Girls School to successfully deliver Peer Mediation training to the fifth year classes.

**“The Virgin Mary Boy’s National school have been involved in the Peer Mediation Programme for many years and we hope to continue for many more. Working with Sonya Keniry, our 5th class boys engage in a structured programme that teaches the valuable lifelong skills needed for conflict resolution. The boys actually learn how to mediate a conflict and help those involved to find and agree solutions. We have found it invaluable with helping the pupils to deal with difficult situations, both in and outside school.”**

Deirdre Lonergan, Deputy Principal.

Schools that have participated in the peer mediation programme at primary level are now engaging at post primary. At Trinity Comprehensive Senior School transition year students took part in the programme for the third year. The feedback from participating senior students is very positive. Students describing their learning as equipping them with essential conflict management skills to assist them support junior students in their school who may be experiencing difficulty or engaged in conflict. It is the hope of BCLC and the teaching staff of Trinity Comprehensive that the students are also learning skills that will support them throughout their lives.

## Courts Mediation Service

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The Courts Mediation Project involves the Dublin Circuit and District Civil Courts Office, South Dublin Mediation Service, Ballymun Community Law Centre, Community Law and Mediation and Dublin Community Mediation. In 2017 the law centre continued to participate in this project and attended and managed at least one court clinic every three weeks.

The steering group representing the courts service and the participating mediation service providers met four times during the year. There were also a couple of ad-hoc training sessions during the year.

## Mediation Training & Support

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As in previous years, in 2017 the BCLC offered accredited training for new mediators. This training was delivered by Geoffrey Corry (trainer and mediator).

### **Conflict resolution and mediation skills training (MII Accredited)**

This accredited programme ran twice in 2017, in February and November. It is a two module accredited 60 hour programme.

- February – 2,3,4th (Module 1) and 16,17,18th (Module 2)
- November – 9,10,11th November (Module 1) and 23,24,25th (Module 2)

### **Family mediation training (MII Accredited)**

In June 2017 BCLC facilitated the training of 12 volunteer mediators as Family (separating couples) Mediators. This is a four day course.

- 13/06/2017 – 27/06/2017.

### **Learning and sharing peer support meetings**

As part of our support for the work of our volunteer mediators BCLC facilitated three shared learning meetings during 2017. A number of smaller group learning and shared learning meetings were held on an informal basis during the year.

### **Conflict Coaching - a new service for the community of Ballymun**

In September 2017 the law centre commenced the delivery of a Conflict Coaching Training programme. Mary Lou

Kennedy, co-founder of Cynergy Conflict Management Coaching, facilitated the training. Mary Lou describes conflict as a “normal part of our everyday lives, be it at work, with family, friends or in our community.”

There were twelve participants who were drawn from the community; mediation volunteers, school vice principals, Dublin City Council housing officers and social care workers working with marginalised youth. The programme was delivered over a period of three months and achieved its stated goal of up-skilling all volunteers in order to provide members of the Ballymun community with appropriate skills and techniques to manage conflict. The type of conflict that might arise in situations including but not limited to the workplace, family and neighbourly relations.

All participants on in the project commented on the quality and relevance of the training. Participants felt that they had a new skill that was relevant to their community, a skill that could be deployed to deescalate conflict and achieve better outcomes. Participants on the course can now be supported by the law centre to deliver a new service to the residents of Ballymun, a service that enables two core outcomes:

- The provision of skills to vulnerable participants referred to our family (separating couples) and community mediation services in order that they may represent their needs more effectively and achieve improved outcomes.
- The provision of a service for those who need support to represent themselves, a community group or a committee.

# **Public Policy Development & Law Reform**

## The Collective Complaint to the European Committee of Social Rights

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During 2017 the law centre continued to be involved with the Collective Complaint, *FIDH v. Ireland*, made on behalf of local authority tenants to the European Committee of Social Rights.

In October 2017 the European Committee of Social Rights issued their decision, finding that Ireland has failed to take sufficient and timely measures to ensure the right to housing of an adequate standard for many families living in local authority housing across the country.

The decision is a result of a collective complaint, the evidence for which was gathered over five years through the work of Community Action Network working with tenants from 20 local communities, closely supported by The Centre for Housing Law, Right and Policy at NUI Galway and Ballymun Community Law Centre. The complaint was lodged in 2014 against Ireland on behalf of local tenants by FIDH (the International Federation for Human Rights), with the support of affiliate member FLAC (Free Legal Advice Centres) along with PILA (Public Interest Law Alliance).

Ireland was found to be in violation of Article 16 of the Revised Social Charter, which protects the right of the family to social, legal and economic protection, including the provision of family housing.

The Committee recognised that the conditions advanced by the complaint go to the core of adequate housing. In particular, it found that frequent sewage invasions, persistent dampness, mould and contaminated water

experienced by tenants raise serious concerns as to both habitability and access to essential services. The Committee also raised the impact on tenants of delays and stalling of regeneration programmes.

The decision of the European Committee also noted that no complete statistics on the condition of local authority housing have been collated for 15 years - since 2002 - and there is no national timetable for the refurbishment of local authority housing. It also noted that a significant number of regeneration programmes have not been completed, leaving many local authority tenants in unacceptable housing conditions.

The European Committee of Social Rights did not find in favour of a number of other grounds primarily because of a lack of substantive evidence due in the most part to the limited resources of the tenants and their support organisations.

## Independent Law Centres Network

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In 2017 BCLC continued to participate as active member of the Independent Law Centres Network, the representative body for the national network of Independent Law Centres in Ireland.

The Network currently has a membership of 10 Independent Law Centres, all delivering a range of innovative legal services to financially and socially disadvantaged individuals and communities.

**“This is a significant judgment that could affect thousands of people living in council homes across the country who are entitled to live in clean and safe housing. The Law Centre is proud to have been part of this collective action and would like to thank the residents in reaching this point. We broadly welcome the decision and will track developments with interest as steps are taken by Local Authorities to address the issues identified”.**

Mikayla Sherlock, Managing Solicitor, responding to the findings of the European Committee of Social Rights Public Policy Development and Law Reform.

# Financial Report 2017

## Income and Expenditure for year ending 31st December 2017

	2017	2016
	€	€
<b>Income</b>	<b>204,436</b>	<b>191,759</b>
Expenditure	187,618	196,158
<b>(Deficit) / surplus for the financial year</b>	<b>16,818</b>	<b>(2,396)</b>

### Statement of financial position as of 31st December 2017

<b>Current Assets</b>		
Debtors	5,903	5,754
Cash at bank and in hand	281,016	257,190
	<u>286,919</u>	<u>262,944</u>
Creditors: amounts falling due		
Within one year	<u>(35,188)</u>	<u>(28,031)</u>
Net current assets	251,731	234,913
<b>Total assets less current liabilities</b>	<u>251,731</u>	<u>234,913</u>
<b>Net assets</b>	<u>251,731</u>	<u>234,913</u>
<b>Capital and Reserves</b>		
Sustainability reserve	200,855	200,855
Capital Fund	33,507	33,507
Income and expenditure account	17,369	551
<b>Members funds</b>	<b>251,731</b>	234,913

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**We understand  
legal problems and  
we're here to help.**

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**Ballymun  
Community  
Law Centre**

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 [/ballymuncommunitylawcentre](https://www.facebook.com/ballymuncommunitylawcentre)

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**Legal Advice**



**Education**



**Mediation**