

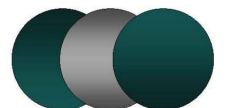
Legal Aid Board

Annual Report 2013



Access To Justice

www.legalaidboard.ie



Family Mediation Service

Mission

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

Vision

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

What we Value

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

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Overview

Function and Purpose

The Legal Aid Board is the statutory, independent body responsible for the provision of civil legal aid and advice to persons of modest means, in accordance with the provisions of the Civil Legal Aid Act 1995 (the "Act"). Section 54 of the Act was amended by the Civil Law (Miscellaneous Provisions) Act 2011 and gave the Board the additional responsibility to provide a family mediation service. The Board's remit is in the process of being further expanded, following a Government decision in 2010, to include the management and administration of the various criminal legal aid schemes previously administered by the Department of Justice and Equality. Responsibility for the administration of the Garda Station Legal Advice Scheme transferred to the Board on the 1st October 2011 and for the Legal Aid - Custody Issues Scheme (formerly titled the Attorney General's Scheme) on the 1st June 2012. Responsibility for the administration of the Criminal Assets Bureau Ad-hoc Legal Aid Scheme is scheduled to transfer to the Board on 1st January 2014.

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

Legal aid is representation by a solicitor or barrister in court proceedings. A person must first obtain a legal aid certificate, which specifies the legal services being granted, and, in civil cases, must pay the legal aid contribution specified on the certificate.

Legal services are provided across a wide range of civil law matters.

1. Service Provision

Civil legal aid and advice is provided primarily through a network of law centres by solicitors employed by the Board. A complementary service is provided by solicitors in private practice who are engaged by the Board on a case-by-case basis.

Offices in Dublin, Cork and Galway include an asylum speciality and there are also dedicated units in Dublin dealing with medical negligence cases and cases involving children at risk of being taken into the care of the State. It is anticipated that a unit dealing with personal injury cases will be established early in 2014.

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

Responsibility for the Family Mediation Service (FMS) was on 1st November 2011 transferred to the Legal Aid Board under ministerial order giving effect to the Civil Law (Miscellaneous Provisions) Act 2011. The FMS provides its services through seven full time offices and nine part time offices.

Service provision in the two Criminal Legal Aid Ad-hoc schemes currently under the Board's remit, the Garda Station Legal Advice Scheme and the Legal Aid - Custody Issues Scheme, comes through private solicitors and barristers with the schemes administered by the Criminal Legal Aid Section which is based in the Board's Mount Street office in Dublin.

2. Obtaining Legal Services

A person seeking legal services in civil cases must apply to any of the law centres set out at Appendix 2 and must complete an application form, stating the subject matter on which legal advice and/or aid is sought and giving details of income and any capital resources.

The Board seeks to ensure that a person who qualifies for civil legal aid (legal services) will be offered an appointment with a solicitor within a maximum period of four months from the time the application is completed. In certain cases, a priority service is provided. Such cases can include domestic violence, child abduction, cases involving applications by the State to take children into care, and cases that have statutory time limits close to expiry.

A person seeking legal advice under the Garda Station Legal Advice Scheme will be required to make their request to the Custody Officer in the Garda Station where they are detained and they will be required to complete the standard Application Form and to provide details of their financial means.

A person seeking legal representation under the Legal Aid – Custody Issues Scheme will be required to notify the relevant Court at the earliest possible opportunity of their intention to seek access to the Scheme's provisions and it is a function of the Court to then determine if a recommendation should be made to the Board to grant such access.

3. Payment for Legal Services

All persons who are granted legal advice and/or legal aid in civil cases are required to pay a contribution to the Board. The legal advice contribution is assessed on the applicant's disposable income, i.e. income after certain deductions. The legal aid contribution is assessed on the applicant's disposable income and disposable capital. The minimum contribution is €30 for legal advice and €120 for legal aid. No fee is payable in respect of advice and representation in child care cases. The law centre advises a person of the actual contribution in each individual case. In the event that a person recovers money or property arising from the case, the Board may seek to recover the cost to the Board of providing legal services to the client.

4. Obtaining Mediation Services

A person seeking to avail of mediation must apply to any of the offices set out at Appendix 4. The second party also needs to contact the same office to confirm his/her interest in attending mediation. Once both parties have confirmed that they wish to mediate they will be offered an appointment as soon as possible. The Board is endeavouring to keep waiting times in all offices to a maximum of two months. There is currently no charge for the service.

5. Criminal Legal Aid Ad hoc Schemes

Both of the Criminal Legal Aid ad hoc schemes referred to at the beginning of this section are now administered by the Legal Aid Board. Persons detained under certain legislation in Garda stations are advised of their right to seek legal advice and may be entitled to legal advice under the Garda Station Legal Advice Scheme by way of telephone and face-to-face consultations in the Garda station. The scheme provides for payments to solicitors for a set maximum number of consultations depending on the legislation the clients were detained under. The second ad hoc scheme currently administered by the Board is the Legal Aid - Custody Issues Scheme which provides for payment of legal costs on the recommendation of the Court in certain types of litigation not covered by the civil legal aid scheme or the main criminal legal aid scheme. Further details of the schemes and the outturn for 2013 are provided later in the Report.

6. Head Office

The Board’s head office is located in Cahirciveen, County Kerry where some 45 staff are located. Some of the headquarter functions also operate from Dublin.

7. Corporate Governance

The Civil Legal Aid Act 1995 makes provision for the appointment of a Chairperson and 12 member Board. The current Board was appointed by the then Minister for Justice, Equality and Defence, Mr Alan Shatter T.D. in December 2012. Membership of the current Board is set out at page 9.

The statutory Board has responsibility for:

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

The Board continues to maintain the standards of corporate governance set out in the updated *Code of Practice for the Governance of State Bodies*. This involves:

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

In 2013, the Board held 11 Board meetings, 2 of which were in Cahirciveen, 1 in NUI Galway and 8 in Dublin.

Attendance at these 11 meetings in 2013 was as follows:

Member	No. of meetings	Member	No. of meetings
Muriel Walls (Chair)	10	Oonagh Mc Phillips	9
Oonagh Buckley	5*	Donncha O’Connell	9
Mary Dalton	8	Micheál O’Connell	9
David Denny	2*	John O’Gorman	10
David Garvey	10	Philip O’Leary	11
Kate Hayes	10	Michelle O’Neill	8
Joy Mc Glynn	7	Ger Power	10

*Oonagh Buckey resigned in September 2013 and David Denny was appointed in October 2013.

The committees of the Board met as follows in 2013:

Committee	No. of meetings held
Appeal Committee	14
Finance Committee	7
Audit and Risk Management Committee	6
Lawyers' Committee	5
Human Resources Committee	3
Performance Committee	1
Family Mediation Committee	3

The Board utilises an in-house corporate governance manual to provide a clear and comprehensive summary of the principal aspects of corporate governance as it affects the Board and senior management. This corporate governance manual was revised in December 2013. Board members have been fully informed of their legal responsibilities and are familiar with statutory provisions relevant to their position and the key organisational issues, policies and strategies that inform their role.

The Audit and Risk Management Committee of the Board incorporates one independent external member, Mr Kieran Corcoran, in line with the requirements of the Code of Practice for the Governance of State Bodies.

Payment and non-payment of fees to Board members were in line with the relevant guidelines issued by the Department of Finance.

Foreword by the Chairperson and Chief Executive

We are pleased to present the 2013 Annual Report for the Legal Aid Board.

The past year saw a further consolidation of legal aid functions in the Board. Responsibility for administering a third criminal legal aid ad hoc scheme, the Criminal Assets Bureau Legal Aid Scheme, transferred at the end of the year. The Board was also given responsibility for a legal aid and advice scheme for family members of a deceased in certain specified instances in Coroners' Courts. Plans were further advanced during the year to transfer the remit for the outstanding areas of legal aid to the Board. These include the main criminal legal aid scheme, the remaining ad hoc schemes and the Mental Health Commission legal aid scheme. This expansion of the Board's remit provides opportunities for a more coherent approach to the delivery of services and a strong basis for enhanced accountability and more active management of resources devoted to all aspects of legal aid.

The demand for civil legal aid services remained at roughly the same level as 2012. There were over 17,500 applications to law centres in the year which is over 70% more than the Board received just seven years previously. Inevitably, this level of demand combined with constrained resources has made it extremely difficult for the Board to provide much needed services as speedily as we would like. Waiting times to meet a solicitor were much longer than the Board would wish for. We are extremely conscious of the fact that delays in service can lead to further difficulties not just for the client but also for children, the wider family and even the community. We have put in place and piloted a number of initiatives to seek to address this pressing issue. We continue to provide a priority service in respect of a number of areas deemed to need a near immediate service; areas such as domestic violence, child abduction and child care issues. In 2013 this comprised some 17% of all applications.

The Board has also extended a triage process, first introduced in 2012, whereby all applicants will be seen by a solicitor within a short time of applying for services. The solicitor offers legal advice on the issue presented and also advises the applicant of actions he or she might take as well as other options that might be pursued. Our objective is to ensure such an appointment within four weeks of applying for services. While not a definitive solution to the problem of waiting times, it is an approach which has considerable merits for applicants as they get early access to a solicitor enabling them to have clarity on how best their legal problem might be resolved, including the time frame involved.

The use of private solicitors through our Private Practitioner Scheme continues to be extremely important in providing legal services to clients. This service applies to certain family law matters in the District Court. Budgetary concerns have restricted the extent to which the scheme was utilised in 2013. Nonetheless, over 5,600 legal aid certificates were granted to private solicitors during the year to supplement the service provided by Board solicitors. We are extremely grateful for the commitment of the many solicitors on our panel to this work.

References to the Legal Aid Board in the media often mention free legal aid. While a free legal aid scheme does operate on the criminal side, contributions are payable in respect of almost all civil legal aid applications. During the year the Minister agreed to the Board's proposal to increase these contributions. However, the extra resources generated are being directed to providing a better and speedier service. The Board also operates a waiver provision where there are particular hardship conditions prevailing.

Responsibility for the Family Mediation Service transferred to the Board in November 2011. The initial focus was on reducing waiting times to meet a mediator and all centres with one exception had waiting times of three months or less at the end of the year. The focus in the past year has been on the potential synergies between the two services; civil legal aid and family mediation. The key dynamic for the Board is to have a situation where the emphasis is on the best and most effective means of finding resolution to the problems presented. While the courts route will remain an integral part of the suite of resolution processes, there is now a widespread appreciation that this is very often not the best means of dealing with many family problems, particularly ones involving children. During 2013 the mediation initiative in Dolphin House in Dublin involving the Courts Service, the Law Centre and the Family Mediation Service maintained the momentum of the previous year. This has been a hugely successful project with the benefits accruing to parents, children, the wider community, the courts and the legal aid system. The project had finalised more than 1,000 agreements by early 2014 and had generated annualised savings to the justice system of over €200,000. It has benefited too from the active encouragement of the judiciary. We are convinced that the initiative represents a civilised and appropriate process of resolving differences in a considerable number of cases which has both individual and societal benefits.

The Board has used the Dolphin House experience to put in place modified integrated initiatives in Naas, Cork, Limerick and Tipperary. At the end of the year, plans were also at an advanced stage for the introduction of a more structured pilot project in Cork during 2014. This will involve direct referrals of certain cases from the law centres there to the Family Mediation Centre in order to ensure that prospective clients of the law centre receive information on mediation.

The Board looks forward to the publication of the promised Mediation Bill and is confident that it can contribute significantly to Government proposals in the area.

The process of transferring responsibility for the management of the main criminal legal aid scheme and the remaining ad hoc schemes continued in 2013. The Criminal Assets Bureau legal aid scheme moved to the Board at the end of the year and work is continuing on the draft legislation to transfer the main scheme to the Board. Considerable efficiencies have already been generated in the schemes now managed by the Board.

The Department of Justice and Equality has been working closely with the Board to gradually transfer responsibility for all operational elements of legal aid to the organisation. Progress was made in identifying a legislative vehicle to facilitate the transfer of the Mental Health Commission legal aid scheme to the Board and it is hoped that this will take place in 2014. The most recent initiative involved giving the Board responsibility for a legal aid scheme for the benefit of family members of a deceased in certain instances in Coroners' Courts.

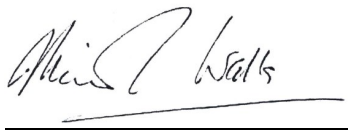
The Board welcomes these initiatives and, particularly, the coherence it brings to the entire area of legal aid. We feel that where responsibility for this area lies with a single organisation then the governance framework associated with a significant amount of public expenditure is enhanced.

The Board is also sensitive of the resource issues associated with delivering the range of services it now provides and will provide in the future. We appreciate that in recent years Government spending was controlled across the entire public service. This created huge difficulties for the Board in providing a timely service. The downturn in the economy led to a dramatic increase in the demand for services; up over 70% between 2006 and 2013. While we have introduced a number of initiatives to seek to manage this increase they have been insufficient to ensure that our clients are provided


with the timely service the Board aspires to provide. Nonetheless, the Board intends to build on the progress made during 2013 on managing service delivery in a cost effective manner and addressing the challenges associated with the ongoing widening of our remit.

The staff in all areas of the Board have shown a huge commitment to the organisation and, particularly, to the clients. There has been extensive and positive engagement on all the initiatives introduced and we are extremely grateful for the immense efforts to ensure an appropriate service for people who are very often traumatised by their experience.

We would like to express our thanks to the Minister for Justice and Equality for continued support. Thanks too to the Secretary General and his staff for their ongoing engagement and support.



Muriel Walls
Chairperson



Moling Ryan
Chief Executive

The Board

As at 31 December 2013:

Muriel Walls

Chairperson

David Denny

Department of Public Expenditure and Reform

Mary Dalton

Staff Representative

Kate Hayes

Business Person

Joy McGlynn

Health Service Executive

Oonagh McPhillips

Department of Justice and Equality

Donncha O'Connell

National University of Ireland, Galway

Micheál O'Connell

Barrister at Law

John O'Gorman

Staff Representative - Solicitor

Philip O'Leary

Solicitor

Michelle O'Neill

Barrister at Law

Ger Power

Department of Social Protection

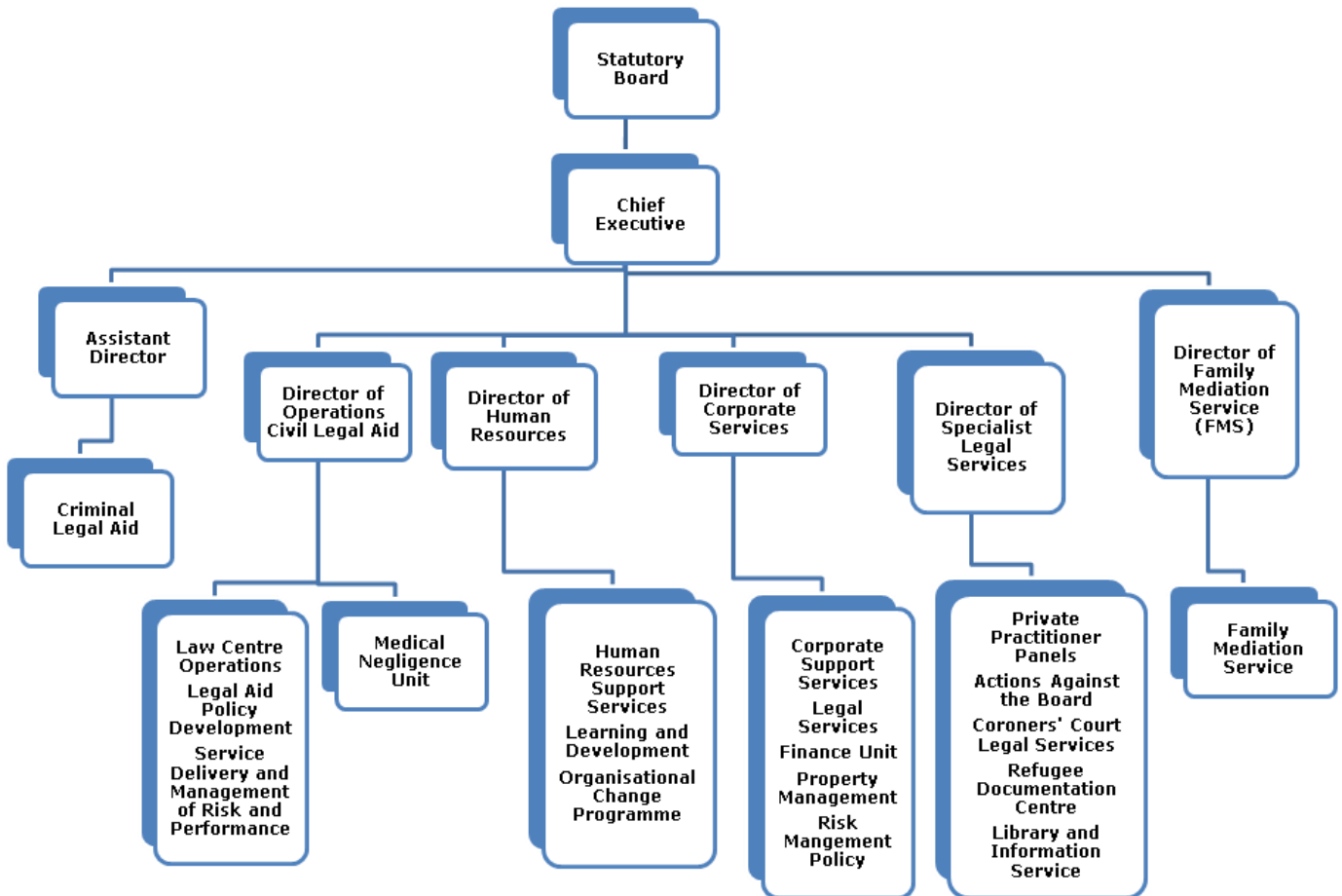
David Garvey

Chartered Accountant

Head Office Executive Staff

Chief Executive Officer:	Moling Ryan
Director, Civil Legal Aid:	John McDaid
Director of Human Resources:	Pat Fitzsimons
Director of Corporate Services:	Eileen Bowden
Director, Specialist Legal Services:	Frank Caffrey
Director, Family Mediation Service (FMS):	Polly Phillimore
Assistant Director, Criminal Legal Aid:	Pat Gilheaney
Financial Controller:	Joan Enright
Secretary to the Board:	Clare Kelly
Auditors:	Comptroller and Auditor General
Solicitors:	Mason Hayes and Curran
Head Office:	Quay St. Cahirciveen Co. Kerry Phone: 066 9471000 LoCall 1890 615200 Fax: 066 9471035
Dublin Office:	47 Upper Mount St. Dublin 2 Phone: 01 6441900 Fax: 01 6623661
Website:	www.legalaidboard.ie

Structure



Key Achievements and Developments in 2013

There were over 17,500 applications for civil legal services to the Board in 2013, a figure similar to that in 2012.

The number of new clients registering with the Board's Refugee Legal Service fell by 2%, in line with the reduction in recent years of the number of persons seeking asylum in this country.

Over 17,300 cases were processed during the year by the law centre network, down slightly from 2012. The number of child care cases increased by 12%.

Waiting times for an appointment with a solicitor in civil legal aid cases came under increasing pressure in 2013 due to increased demand and the constraints on the Board's resources. The issue of accessibility to timely legal services continued to prove difficult in 2013. The waiting time for a first appointment with a solicitor for matters other than those deemed priority cases was in excess of four months in 16 of the Board's law centres at the end of the year.

However, the Board continued to provide a priority service where it considered that an immediate or near immediate service was needed. These included cases of domestic violence, child abduction, cases involving applications by the State to take children into care, and cases that had statutory time limits close to expiry.

The Board continued to make use of private practitioners to help reduce the numbers of clients waiting for legal services. The private practitioner service currently operates for certain family law matters in the District Court although some restrictions are in place for budgetary reasons. The Scheme for involving private practitioners in divorce and separation matters in the Circuit Court has been constrained for budgetary reasons.

During the course of 2012 the Board introduced a 'triage' approach in a number of its law centres. This has continued into 2013. The aim of the triage approach is to ensure that all applicants get some level of legal advice in a timely fashion (the aim is ultimately a month). Thus the waiting times in respect of a number of centres set out the time waiting for a triage appointment as well as those for a second consultation (where that is deemed necessary).

Significant progress was made during the year on the implementation of a comprehensive legal case management system (EOS) which was made available across the law centre network in August 2012 and all of the Board's legal work aside from asylum cases is managed on the new system. The system allows greater flexibility and effectiveness in the use of the Board's staffing resources.

On the criminal legal aid side expenditure on the Legal Aid – Custody Issues Scheme in 2013 came to €3.4 million down from €3.5 million in 2012, and expenditure on the Garda Station Legal Advice Scheme in 2013 came to €0.8 million down from €0.9 million in 2012 and €1.2 million in 2011.

The Courts and Civil Law (Miscellaneous Provisions) Act 2013 which was enacted in July 2013 makes provision for legal aid or advice to be provided for family members of a deceased person in certain specified instances in Coroner's Courts. The scheme is to be managed by the Board.

Waiting times for services from the Family Mediation Service have been reduced to three months or less in every centre bar two. Excluding Dolphin House and the other court based initiatives there was an increase of over 10% in the number of couples agreeing to mediate with 837 mediated agreements concluded during the year.

The pilot mediation initiative in the District Family Court premises in Dublin which was established in 2011 as part of the Board's promotion of non-court based family dispute resolution continued in 2013. Persons presenting at the District Court in relation to family disputes are provided with information on attending mediation. A key aspect is that mediators are on site in the same building, enabling ease of access to this process. A review during the year indicated a net annualised saving of over €200,000. The initiative also continues in Cork and Naas.

Exchequer funding for the Legal Aid Board in 2013 was €33.759 million. This included provision for the traditional legal services provided by the Board as well as for the Family Mediation Service which came within the Board's remit in November 2011. It also included a provision for the costs of administering the ad hoc criminal legal aid schemes. Staffing levels rose slightly to 368 wholetime equivalents (including FMS) from 363 in 2012.

The Board hosted its annual family law conference in June 2013 in NUI Galway. The theme of the conference was 'Does the present process of childcare cases in the courts system serve the best interests of the child?' The conference was addressed by a number of high profile speakers on various aspects of civil law in Ireland and abroad.

Service Provided in 2013

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

- Civil Legal Aid
- Asylum Services
 - Refugee Legal Service
 - Refugee Documentation Centre
- Family Mediation
- Criminal Legal Aid Ad-hoc Schemes

Civil Legal Aid

Over 17,500 applicants sought legal services from the Board’s law centres in 2013 with nearly 16,900 of these relating to matters other than asylum. This compares with a figure of less than 10,200 for non-asylum matters in 2007. There continued to be a fall off in demand for asylum services and that has enabled the Board to redeploy some resources.

The type of problems for which the Board provides legal services extends to most areas of civil law although in 2013, as has been the case since the Board’s inception in 1980, the majority of applicants sought services in relation to family problems.

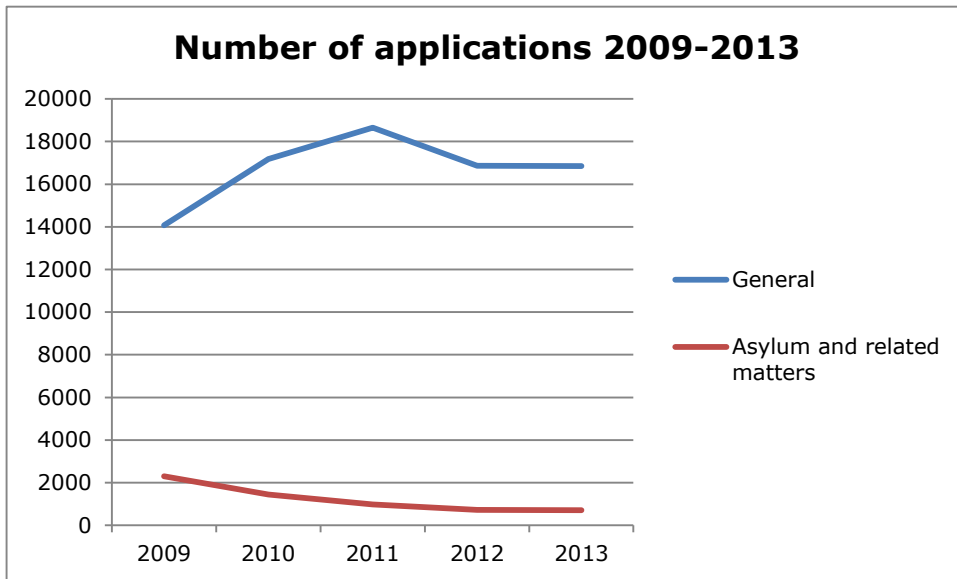
The total number of cases in which legal services were provided by the Board in 2013 was in the region of 22,300. This was a marginal drop on the number dealt with in 2012.

Demand for the service

The following table and chart give the number of persons who applied for services to the Board in 2013 and the four previous years.

Table 1: Number of applicants

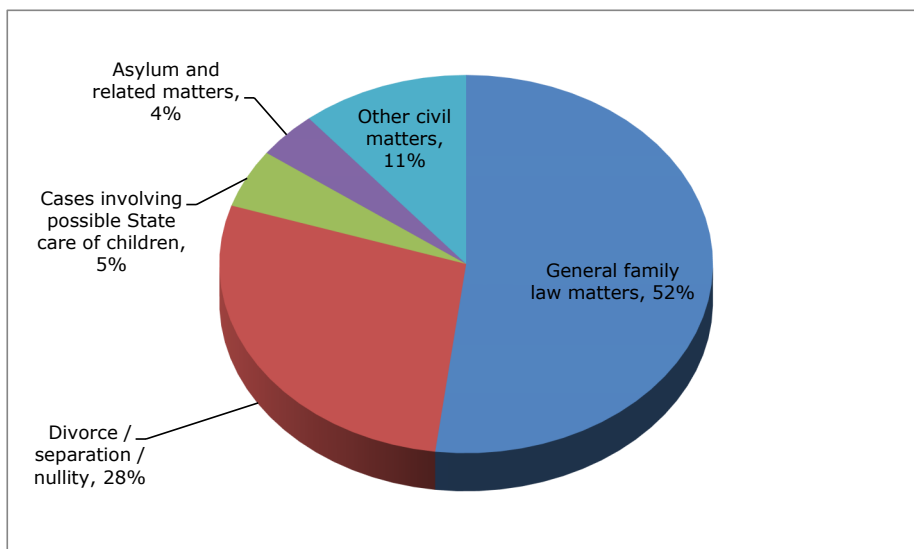
Year	2013	2012	2011	2010	2009
General	16,851	16,870	18,657	17,175	14,073
Asylum and related matters	708	725	979	1,448	2,298
Total	17,559	17,595	19,636	18,623	16,371



It should be noted that not every applicant is provided with legal services. A number of applicants do not pursue their application when they are offered an appointment.

The pie chart below gives the approximate breakdown of applications by case type.

Chart 1: Percentage applications by case type 2013



Law Centres

Legal aid and advice was provided through the Board’s general law centres in 17,304 cases in 2013 which was a slight reduction on 2012 as can be seen from the table below. Comparative information for the two previous years is set out in Table 2 below.

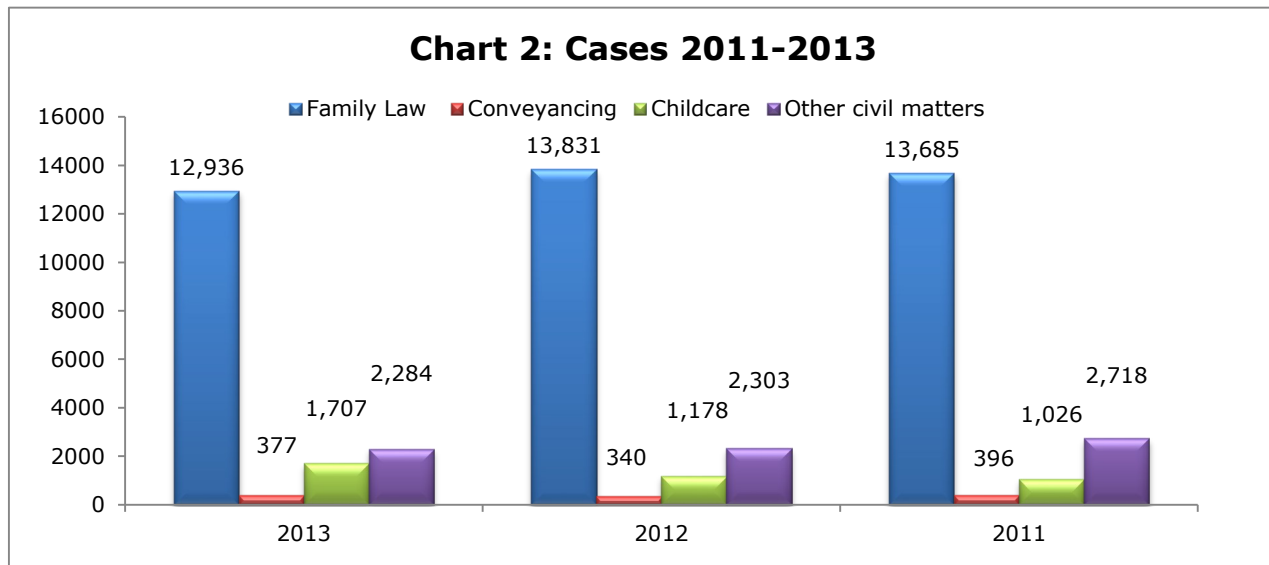
Table 2: Cases handled in law centres

Year	2013	2012	2011	2010	2009
Total	17,304	17,652	17,825	16,632	16,170

Legal aid and advice cases

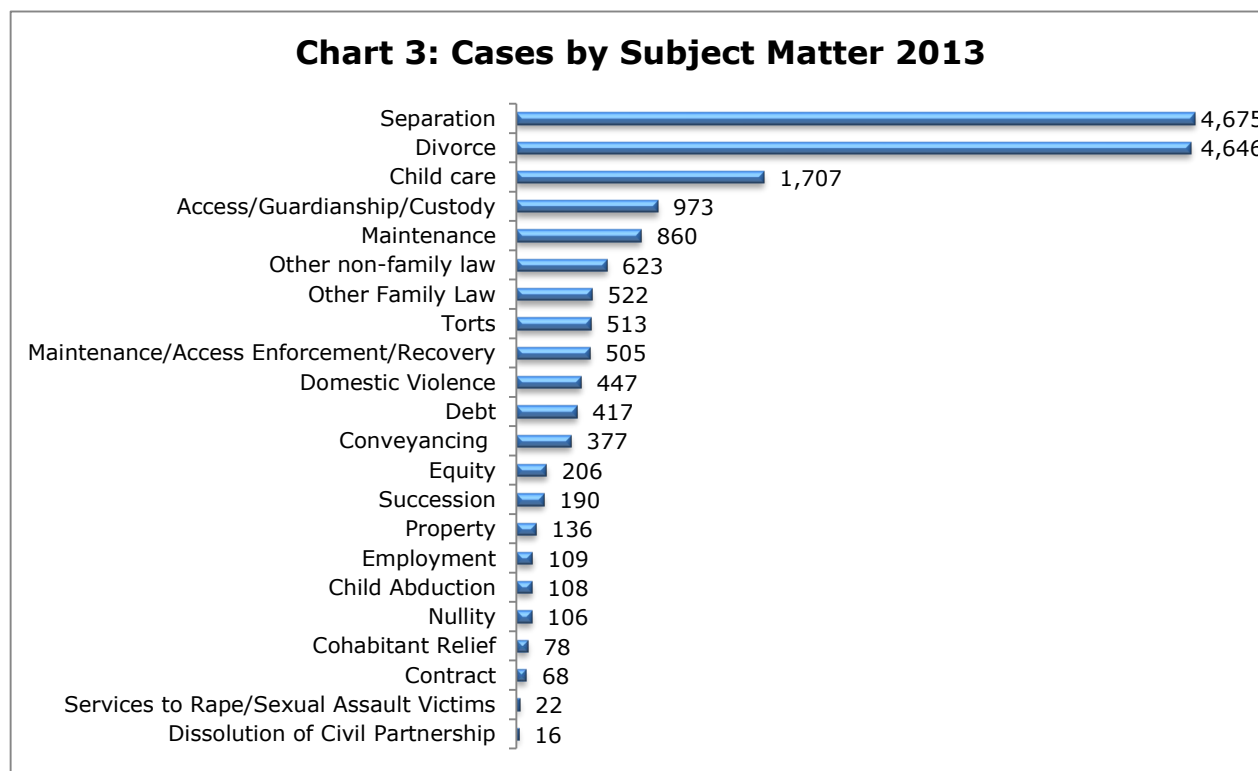
In previous years the Annual Report distinguished between legal aid and legal advice cases. This was done on a 'point in time' basis and in reality many of the cases that were reported as advice cases were likely to become aid cases the following year. For that reason this Report moves away from that distinction. Chart 2 below highlights that family law continues to constitute the predominant area where the Board provides legal services. Of the cases handled in 2013, nearly 85% were in the family law area.

Chart 2: Cases 2011-2013



A more detailed breakdown of the main issues in respect of which legal services were provided in 2013 is provided below in Chart 3. It is likely that advice was also given in relation to a significant number of separation and divorce cases on matters such as maintenance, domestic violence, and child welfare. Such additional advices are not separately recorded here. In addition, it should be noted that applicants often apply for legal services in relation to, for example, both domestic violence and custody/access, or custody/access and maintenance. For the purposes of this chart an applicant for multiple family law matters has been categorised in relation to the principal matter for which they sought legal services.

Chart 3: Cases by Subject Matter 2013



Case turnover

As can be seen from Table 3 below, there was an increase in the number of new cases taken on in the law centre network in 2013 though the number of new cases taken is still less than it was in recent years.

Table 3: New cases in law centres (excludes asylum)

Year	2013	2012	2011	2010	2009
New Cases	6,650	5,831	7,506	7,069	7,240

It is worth noting that in August 2012 the Board moved to a new IT based case management system with a consequent change in data management systems and the migration of data to the new system. In the longer term this should result in better and more reliable data.

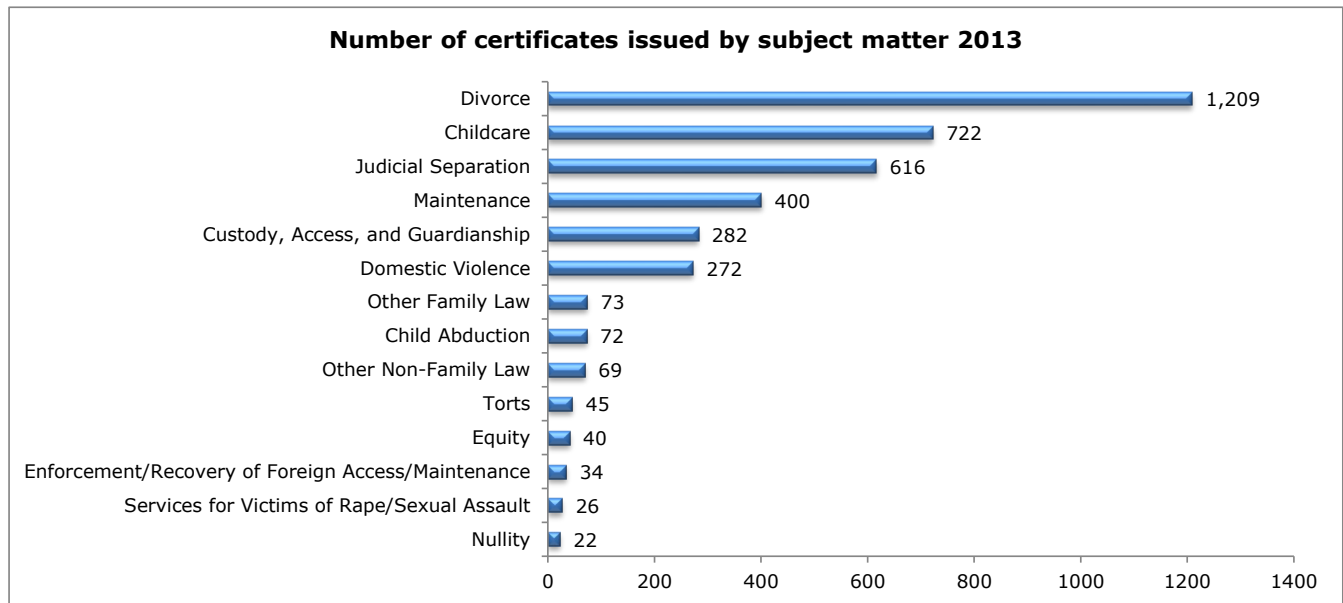
Duration of cases

Table 4 below provides an age profile of cases in which legal services were provided in 2013. The year indicates when the application for legal services was first made. It should be noted that there may have been a significant time delay in the person getting a first appointment with a solicitor.

Table 4: Cases handled in 2013; year file opened

Year	2013	2012	2011	Pre-2011	Total
Number	3,984	5,336	3,951	4,033	17,304

Chart 4: Number of Legal Aid certificates issued by Law Centres by subject matter 2013



Legal aid

3,882 legal aid certificates (authorisations to commence proceedings in Court) were granted to persons represented by law centre solicitors during 2013. Chart 4 gives a breakdown of matters for which legal aid certificates were granted during the year.

This data relates to cases handled by law centres only. Data on the number of legal aid certificates issued to persons represented by private practitioners can be found later in this section.

Cases completed

Of the 17,304 cases handled in the law centres in 2013, 4,934 (29%) were completed by the end of the year. Table 5 below gives an age profile of those cases completed in 2013 by subject matter.

Table 5: Cases completed in 2013; length of time open

	<1 Year	1-2 Years	2-3 Years	3+ Years	Total
Divorce/separation/nullity	93	451	700	941	2,185
Child care	93	187	118	68	466
Other family law	271	566	326	166	1,329
Non-family law	125	387	241	201	954
Totals	582	1,591	1,385	1,376	4,934

It can be seen from this table that divorce, separation and nullity cases generally take longer to reach completion than most other family law matters. Approximately 43% of divorce, separation and nullity cases completed in 2013 had been ongoing for longer than three years, compared to 15% of childcare cases and 12% of other family law matters.

Cases on Hand

Table 6 below gives the status of all of the Board’s active cases as of the 31st December 2013.

Table 6: Cases active as at 31 December 2013

Status	No of Cases
Advice services	5,079
Counsel briefed	595
Proceedings issued	2,758
At hearing	2,946
Final orders made	853
Re-entry/under appeal	139

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

Private Practitioners in Family Law Matters

Private practitioners (PPs) are engaged by the Board to provide legal aid services to complement the service provided by law centres. This service assists the Board in trying to keep the waiting times as low as possible. The PP service currently operates for certain family law matters in the District Court (such as domestic violence, maintenance, guardianship and custody/access cases). The scheme for involving private practitioners in divorce and separation matters in the Circuit Court has been effectively suspended for budgetary reasons. Restrictions are also in place on the availability of the District Court scheme.

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

Table 7: PP certificates granted

Year	2013	2012	2011	2010	2009
District Court	5,640	5,077	44,854	5,220	3,921
Circuit Court	0	5	8	59	91
Total	5,640	5,082	4,862	5,279	4,012

This payment time lag is much less of an issue for certificates granted in respect of District Court matters, which tend to be resolved more quickly. In addition, fees paid to private practitioners for District Court cases are only 10-15% of the fee payable for Circuit Court cases.

Timeliness of The Service

There has been significant pressure on waiting times for legal services caused by the increase in demand in recent years. A number of initiatives have been introduced to seek to minimise the impact on applicants. The most significant of these has been the continued rollout of the ‘triage’ approach in a number of law centres. The aim of the triage approach is to ensure that all applicants get some level of legal advice in a timely fashion.

The following table sets out the number of persons waiting on the 31st December 2013 and on the same date in the previous four years for legal services with a solicitor.

Table 8: Numbers on waiting lists

Year	2013	2012	2011	2010	2009
Number waiting	5,067	5,014	4,443	3,153	2,228

The 2013 figure comprises 1,817 who had received a triage appointment and 3,250 still to have an appointment with a solicitor.

The maximum waiting time in weeks, as of the 31st December 2013, is set out for the various law centres in table 9 below. It must be emphasised that this table gives a snapshot of waiting times at a particular point in time. Waiting times will go up and down depending on demand and on the capacity of each law centre to offer appointments to new clients.

Table 9: Waiting times in months on the 31st December 2013

Law Centre	General – Law centres not operating triage	Waiting time for a triage appointment	Further waiting time where triage appointment previously given
Blanchardstown	4		
Brunswick St		8	3
Clondalkin		1	8
Finglas		9	0
Gardiner St		0	20
Tallaght		2	13
Popes Quay		8	8
South Mall		12	2
Athlone		7	0
Castlebar		2	7
Cavan		3	2
Dundalk	4		
Ennis		10	5
Galway - Francis St		5	14
Galway - Seville House		2	3
Kilkenny		1	11
Letterkenny		3	17
Limerick	9		
Longford		4	4
Monaghan	4		
Navan		4	6
Nenagh		1	6
Newbridge		1	19
Portlaoise		8	14
Sligo		2	12
Tralee	4		
Tullamore	4		
Waterford	6		
Wexford	11		
Wicklow	2		

Priority Service

The Board continued to provide a priority service where it considered that an immediate, or near immediate, service was needed. In 2013 approximately 17% of first appointments were for prioritised matters. These included cases of domestic violence, child abduction, cases involving applications by the State to take children into care, and cases that had statutory time limits close to expiry.

In addition to the cases given priority in the law centres, most of the cases referred out to solicitors on the Board's private practitioner panels were so referred immediately or shortly after the person had applied for legal aid.

Appeal Committee

In 2013, the Appeal Committee of the Board met on 14 occasions. This is a statutory sub-committee of the Board and it rules on cases where a person makes an appeal against a decision of the executive. Most of the cases that come before it relate to decisions to refuse legal aid.

There were 156 appeals heard in 2013. Of the appeals heard in 2013, the decision of the executive was upheld in 116 cases. There were 38 appeals where the original decision was overturned. Table 10 below provides an outline of the position.

Table 10: Appeal committee

Year	2013	2012	2011	2010	2009
Number of decisions upheld	116	138	102	85	98
- Financial criteria	12	29	21	25	24
- Merits criteria	104	109	81	60	74
Number of decisions overturned	38	28	22	36	36
Number of appeals on hands	1	0	4	5	2
Withdrawn/resolved	1	6	7	5	3
Number of appeals	156	172	135	131	139

Sample cases – Civil Legal Aid

Divorce

A Law Centre acted for a husband in divorce proceedings. The parties had been living separate and apart for many years and both parties were relatively elderly. None of the children of the marriage were dependent. Neither of the parties was working at the time of the proceedings. The only issue in dispute was the family home which was held mortgage free and in which the wife had lived for many years. The approximate value of the property was agreed by the parties before the matter went before the Court. Evidence was given by a number of the adult children that did not assist the client's case. That evidence primarily related to behaviour during the marriage. During the course of the hearing the client determined that the best option was to seek to resolve the matter by way of settlement for a specific sum and negotiations took place which resulted in the client agreeing to accept a sum amounting to approximately 1/3 of the value of the property. The agreement involved the transfer of an ownership share of the property to a number of the children. The Judge then granted the divorce that had been sought and made Orders in relation to the property in the terms that had been agreed between the parties.

Custody / Access

A mother of young children separated from their father. The father was a legal guardian of one child only. There was a cross border element to the case. There were child abduction proceedings but these were resolved relatively speedily and the children were returned to this jurisdiction and were residing in this jurisdiction with their father when custody / access issues came before the Court.

There were some concerns expressed in relation to the health of one party and also some social concerns. In addition to seeking medical reassurance about the health issues the Judge also appointed a guardian-ad-litem to make an enquiry and to ascertain what she considered to be in the best interests of the children. The guardian-ad-litem made certain recommendations which the Judge was happy to adopt. The recommendations involved both parents having joint custody of the children and it also set out clear arrangements in terms of where the children should live primarily and how much time they should spend with the other parent. The Order, which was made with the consent of both parties, has proved challenging for the parties to adhere to as they now live some distance apart and there are financial implications in terms of the children being dropped to and collected from each parent's home. There has however been significant support from the broader family which has assisted and significant progress has been made in making the arrangements work for all the parties involved and particularly the children.

Separation

A law centre acted for an elderly client who had a son who was going through a separation. The client had previously consented to her son and daughter-in-law building an extension to her home, where the client had lived for many years, and they had carried out relatively extensive works. The client's daughter-in-law had sought in the separation proceedings to have the property sold. The client was joined as a party to the proceedings. The matter eventually was heard by an appeal court who determined that the client, her son and her daughter in law were each entitled to a 1/3 share in the property and the client was entitled to a right of residence for life in it. The client was happy in that it secured her accommodation needs for the rest of her life and also left her with an interest to pass on to her children / grandchildren.

Custody / Guardianship

A Law Centre acted for an older father of a relatively young child. The child's mother had significant dependency issues and at one point the HSE was intending to take the child into its care and approached the client to ask if he could care for his son which he was very happy to do with the support of his broader family. Various orders were made in the District Court including in relation to custody and guardianship. The mother did not maintain contact with the child. Some time later it became apparent that the client was not named on the child's birth certificate and it was at this point that the client sought legal assistance.

It was necessary to bring proceedings in the Circuit Court which was able to order DNA tests which established paternity. In court the judge made a declaration that the client was the father of the child and ordered that the birth be re-registered to reflect the true paternity of the child and the re-registration has since taken place.

Unfortunately the client was diagnosed with an illness which made it all the more important that the issues regarding the registration of the birth be resolved so that he could make whatever arrangements he could in order that he could appoint a testamentary guardian in his will to act as guardian of the child in the event of his death.

Asylum Services

In 2013 the Board’s Refugee Legal Service (RLS) was fully integrated into the general law centre network and legal services in relation to asylum, subsidiary protection and related immigration and deportation matters were provided out of Law Centres at Smithfield (Dublin), Pope’s Quay (Cork), and Seville House, New Dock Road (Galway). Staff in these offices now provide services in asylum related work and also in general civil matters. The dedicated asylum offices were set up in 1999 at a time when the numbers seeking asylum were increasing and the demand for legal services in this area was likewise growing. In 2001 approximately 5,700 persons sought legal advice from the Board in relation to asylum issues. However, this number dropped below 1,000 in 2011 and has remained under that figure since. The number of persons seeking legal services for asylum last year was 708. This was a decrease of 2% on the previous year. The number of registrations with the Board for asylum services represents a figure of 75% of those who sought asylum in the State in 2013. This figure is similar to that in 2012.

Table 11: Asylum Applications

Year	2013	2012	2011	2010	2009
RLS Registrations	708	725	979	1,448	2,298
ORAC Applications	946	956	1,290	1,939	2,691

Of the new clients registered with the service in 2013, approximately 48% of them required services for the first stage of the asylum process, while the remainder required services for appeals or other related issues.

Minors

The Board continued to have a dedicated Children’s Unit located in Dublin to handle asylum applications by unaccompanied minors. Staff in the Unit have received relevant specialised training. The Unit has well developed interagency relationships with the Office of the Refugee Applications Commissioner (ORAC) and the TUSLA Child and Family Agency with whom regular meetings take place to deal with issues of mutual interest. In addition to preparing pre-interview submissions for separated children the Unit also provides these clients with legal services in relation to family tracing and family re-unification.

Legal aid certificates

The Board granted 365 legal aid certificates in asylum cases last year to enable representation before the Refugee Appeals Tribunal (RAT). This was a significant drop on the figure of 450 certificates issued in 2012 which itself was a drop on the figure of 649 for 2011. The RAT decides appeals of those asylum seekers whose application for refugee status has not been recommended by the Office of the Refugee Applications Commissioner. The following table shows the breakdown between the numbers of certificates in which representation was provided by RLS solicitors and by private solicitors/barristers, acting on behalf of the RLS.

Table 12: RLS certificates granted

Year	2013	2012	2011	2010	2009
RLS solicitors	122	171	210	548	876
Private solicitors on RLS Panels	197	231	360	310	601
Barristers instructed by the RLS	46	47	79	155	532
Total	365	449	649	1,013	2,009

Subsidiary Protection

Applications for subsidiary protection to date have been made only in circumstances where an applicant has been refused asylum. Until 2013 they were made in writing only. A decision of the High Court in *MM v the Minister for Justice and Law Reform* on 23 January 2013 determined that it was not appropriate that an applicant for subsidiary protection would never have the opportunity of making their case orally or of addressing orally issues of concern that may have arisen during their asylum claim. The State’s response was to revise the process for considering subsidiary protection claims. They did so by transferring the function for consideration of the claims to the Office of the Refugee Applications Commissioner, by affording every applicant an opportunity to be interviewed by that Office and by affording every applicant refused subsidiary protection by the Refugee Applications Commissioner an opportunity to appeal that decision to the Refugee Appeals Tribunal. In response to this change in process the Board revised its terms and conditions for private practitioners to allow for the provision of legal advice in subsidiary protection cases before the ORAC and the RAT by private practitioners. The Board organised specialised training, which was delivered by UNHCR to all private practitioners on the panel for asylum and related issues. The Board’s Research and Information Unit was also involved in the delivery of this training.

Judicial review in asylum related matters

The Board instituted judicial review proceedings in one asylum case in 2013. The case was a Dublin II challenge against the Office of the Refugee Applications Commissioner and the Minister for Justice and Equality. A process exists whereby attempts are made to resolve matters between the relevant bodies in appropriate cases prior to the taking of proceedings.

Trafficking

In late 2009 the Legal Aid Board commenced providing legal services on certain matters to persons identified by the Garda National Immigration Bureau (GNIB) as potential victims of human trafficking under the Criminal Law (Human Trafficking) Act 2008. The Civil Legal Aid Act 1995 was amended in 2011 to facilitate the provision of these services.

There is no requirement to satisfy the Board’s financial eligibility or merits criteria for these cases and a potential victim of human trafficking is not required to make a financial contribution to the Legal Aid Board. The service is provided by Board employees who have received specialised training in human trafficking issues.

The service provides initial advice to persons identified as potential victims of human trafficking on their legal rights. It also provides legal services to suspected victims of human trafficking who may be acting as witnesses in prosecutions taken under specified provisions of the Criminal Law (Human Trafficking) Act 2008.

By the end of 2013, 81 potential victims of human trafficking had been notified to the Board by GNIB, 9 of whom had registered during 2013. At the end of December 2013, 58 clients were still registered as clients of the Board in relation to human trafficking. Of the 58 clients, 4 were male and 54 were female, 56 were adults and 2 were minors. The trafficking purpose of the 58 clients is shown in the chart and table below.

Chart 5: Human Trafficking

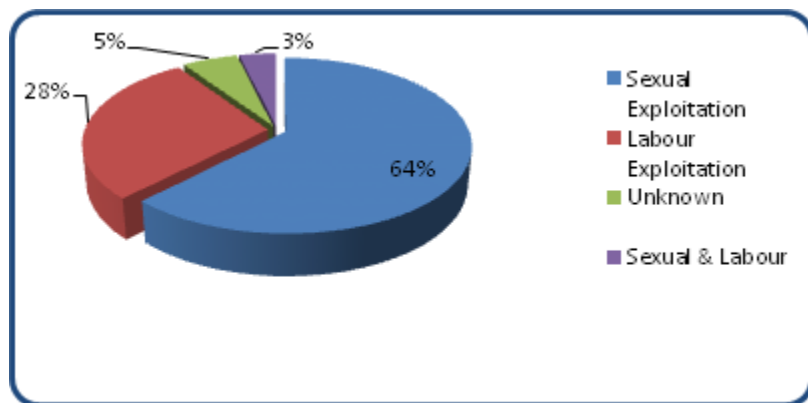


Table 13 - Trafficking Purpose

Trafficking Purpose	
Sexual Exploitation	37
Labour Exploitation	16
Unknown	3
Sexual & Labour	2
Total	58

Sample cases –Asylum

Subsidiary Protection

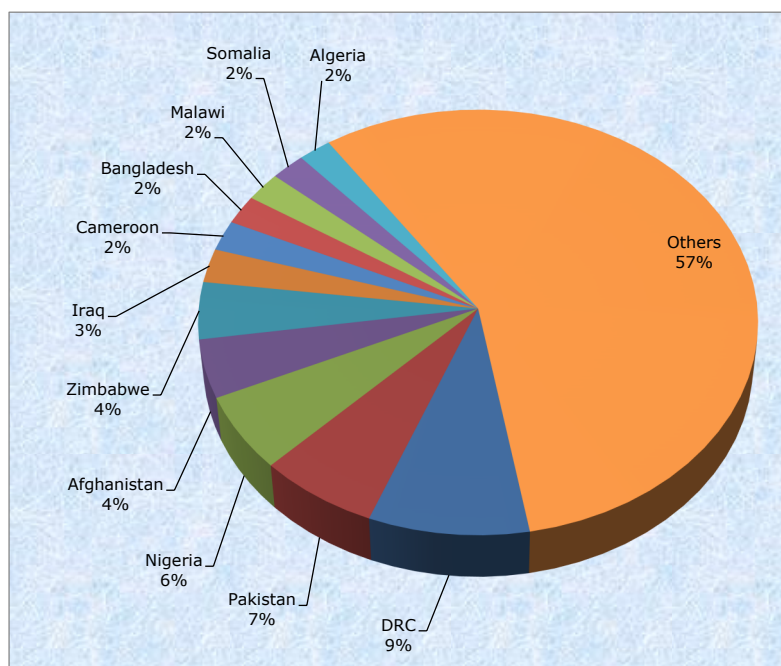
An asylum seeker from a war torn country in North Africa had been in Ireland since 2009. A number of credibility issues had been raised during her application for asylum. The client met with her solicitor to discuss the previous negative credibility findings that had been made against her including the results of the language analysis test which suggested she was not from the country she said she was from. The client was able to give reasonable explanations regarding the alleged credibility and language analysis discrepancies. These explanations were subsequently accepted by her interviewer who held that she faced a real risk of torture or inhuman or degrading treatment or punishment. It was accepted that the situation in her country amounted to a situation of international or internal armed conflict and that she was a non-combatant. It was held that indiscriminate violence reached such a high level that there were substantial grounds for believing that the client, if returned, would, solely on account of her presence, face a real risk of being subject to a serious and individual threat to her life or person. In addition it was found that State protection would not be available and that internal relocation was not an option available to the applicant. Accordingly she was granted subsidiary protection in Ireland.

The Refugee Documentation Centre

The Refugee Documentation Centre (RDC) is an independent service operating under the aegis of the Legal Aid Board. The main role of the Centre is to provide an objective research and query service for key organisations involved in the asylum process, with a particular focus on providing Country of Origin Information (COI). Members of the public and other agencies may also use the RDC to conduct their own research. The RDC continues to maintain a close working relationship with UNHCR.

In 2013, the RDC Query Service provided a total of 1,131 query responses. This represented a decrease of 19% on 2012. On average, about 70% of queries related to COI, with the remaining 30% split between legal/quasi-legal and library queries. The country which gave rise to the largest single number of queries in 2013 was Democratic Republic of the Congo. The main countries subject to COI queries are set out in Chart 6 below.

Chart 6: RDC Queries 2013



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

- Violence against women in the Democratic Republic of Congo.
- Arranged and forced marriages in China.
- The treatment of failed asylum seekers upon return to Eritrea.
- Christian-Muslim relations in Egypt.
- The exclusion by law of the Ahmadi religious group from attending educational facilities in Pakistan.
- Internal relocation for MDC members in Zimbabwe.
- Information on the Islami Chhatra Shibir in Bangladesh.
- Treatment of those who are perceived to be witches and the availability of police protection in Malawi.
- Types of evidence at war crimes tribunals.

The RDC continued to work closely with ORAC (Office of the Refugee Applications Commissioner) and other users of its services in 2013, with a view to strengthening co-operation and meeting the various needs of its users. Of particular importance was customising COI provision to meet the requirements arising from new subsidiary protection procedures introduced in late 2013.

There were two editions of the RDC's periodical *The Researcher* published in 2013, which were made available internally and to relevant external agencies. 89 COI information packs on specialist topics were prepared and updated throughout 2013.

Training activities took place throughout 2013 in the areas of COI and also on the use of the RDC's electronic library and COI database (E-Library). Training was further provided to the newly established subsidiary protection panel in ORAC, to the RLS and private practitioners and to newly appointed members of the Refugee Appeals Tribunal. COI Network project work in the area of training continued in 2013. Blended learning courses were provided domestically and internationally to groups of Irish and international asylum agencies. The RDC participated in two international projects in the areas of Medical COI and the European COI Portal. A successful European Refugee Fund application to connect the RDC COI database to the European COI Portal was made in 2012 and this project commenced in 2013.

Family Mediation

The Family Mediation Service (FMS) became part of the Legal Aid Board in November 2011 following the enactment of the Civil Law (Miscellaneous Provisions) Act 2011.

The FMS is a free, confidential service in which a professional mediator assists those involved in family breakdown and, in particular couples, both married and non-married, to negotiate the terms of their separation or divorce. The service is also available for same sex couples who are separating, couples who have never lived together or even had a relationship but have a child together. The mediator assists people to communicate better with one another for the sake of their children and to reach their own agreed and informed decisions concerning some or all of the issues. The FMS also deals with a small number of cases which involve conflict between other members of a family (e.g. parents and children, adopted and step children, grandparents and grandchildren, brothers and sisters involved in disputes over elderly parents, wills, etc.).

It is a national service based in 16 locations; there are 7 full-time offices, Ormond Quay in Dublin City, Cork, Galway, Limerick, Blanchardstown, Raheny and Tallaght and 9 part-time offices open for mediation 2 to 3 days a week.

Since becoming part of the Legal Aid Board in November 2011 a very strong emphasis has been placed on reducing the Family Mediation Service waiting lists nationally to ensure that the service complements that of the Boards' law centres and that people who wish to try and resolve matters through mediation are not waiting longer than two to three months for an appointment with a mediator and this has largely been achieved in 2013.

Table 14: Waiting times for an appointment with a Mediator

Centre	Waiting times (months) End December 2013	Waiting times (months) End December 2012	Waiting times (months) End December 2011	Waiting times (months) End December 2010
Dublin:				
<i>Earlsfort Terrace</i>	*	4	3	6
<i>Ormond Quay</i>	3			
<i>Blanchardstown</i>	3	3	6	4
<i>Raheny</i>	2	3	4	4
<i>Tallaght</i>	3	3	4	6
Athlone	2	2	3	3
Castlebar	3	2	2	6
Cork	3	5	1	9
Dundalk	1	3	3	4
Galway	3	3	3	6
Letterkenny	3	2	3	3
Limerick	4	3	3	5
Portlaoise	4	2	4	4
Sligo	2	3	4	6
Tralee	3	2	3	6
Waterford	2	2	2	6
Wexford	3	3	4	6

* The Earlsfort Terrace Centre moved to Ormond Quay in March 2013.

Waiting times are calculated from the date both parties confirm interest in attending mediation to the date they are offered their first appointment.

The number of couples agreeing to engage in mediation in 2013 increased by over 10% on 2012. The notable increase in the Blanchardstown and Tallaght centres evident from the table below can be attributed to both of those offices becoming full time in 2013.

Table 15: Number of couples agreeing to engage in mediation in 2012 and 2013

Centre	2013	2012
Earlsfort Terrace	*	330
Ormond Quay	225	*
Tallaght	191	77
Blanchardstown	240	158
Raheny	95	87
Athlone	75	89
Castlebar	88	70
Cork	133	178
Dundalk	80	82
Galway	146	138
Letterkenny	48	36
Limerick	170	131
Portlaoise	114	98
Sligo	48	44
Tralee	65	62
Waterford	98	73
Wexford	85	69
TOTAL:	1,901	1,722

* The Earlsfort Terrace Centre moved to Ormond Quay in March 2013.

FMS Service Provision

Table 16: FMS service provision in 2013

Centre	Cases Carried Forward From 2012	First Mediation Session Attended	Reached Agreement	% Reached Agreement	Carried Forward to 2014
Dublin:					
<i>Earlsfort Terrace*</i>	133	206	77	23%	104
<i>Tallaght</i>	25	149	79	45%	87
<i>Blanchardstown</i>	88	199	88	31%	84
<i>Raheny</i>	23	81	62	60%	23
Athlone	19	56	25	34%	22
Castlebar	25	52	28	39%	18
Cork	52	128	68	38%	70
Dundalk	22	74	66	69%	14
Galway	52	128	75	42%	76
Letterkenny	15	33	13	27%	17
Limerick	65	119	55	30%	73
Portlaoise	39	55	41	44%	26
Sligo	23	33	35	78%	7
Tralee	33	60	36	42%	23
Waterford	12	67	66	66%	22
Wexford	21	50	23	32%	30
TOTAL	647	1,288	837	43%	696

* The Earlsfort Terrace Centre moved to Ormond Quay in March 2013

2013 (Summary)

647 couples were carried forward from 2012.

1,288 couples attended a First Mediation Session in 2013.

Total number of couples in Mediation in 2013 was 1,935 – a decrease of 17 couples from 2012. Of these 837 (43%) reached agreement (36% in 2012). 696 couples in the mediation process were carried forward to 2014.

In 2013, 79% of couples entering into the mediation process either reached agreement or remained in the process (837 reaching Agreement, 696 continuing in process out of 1,935). This compares to 65% in 2012.

Dolphin House tripartite initiative

The tripartite initiative between the Family Mediation Service, the Legal Aid Board and the Courts Service based on-site at the District Court’s offices in Dolphin House, Dublin 2 commenced in March 2011. After referral, in the main by the Courts Service in Dolphin House, first appointments are given to people expressing an interest in mediation and if, after the second party has attended an information session and both parties are keen to proceed with mediation, a first joint mediation appointment is given and the mediation process may begin.

In 2013 information on mediation was provided to 1,935 individuals (1,722 in 2012), 906 mediation sessions were held (867 in 2012) and over 408 agreements were reached on matters that would otherwise have gone before a District Judge (374 in 2012). Net savings to the overall Justice sector in 2013 arising from the initiative came to over €200,000.

In addition to the net financial benefit there are also further benefits arising from the initiative which may be of even greater importance. These include providing parties to conflict with a sense of joint ownership of issues and the solutions with the greater likelihood of adherence by both parties; the fostering of more productive relationships between the parties relating to issues associated with the children with the consequent benefits to the children, the parents, many State systems and, ultimately, society; more speedy resolution of issues and, thus, less likelihood of matters continuing to re-appear in court lists as is frequently the case at present.

The cumulative statistics for the Dolphin House Family Mediation Service for 2013 were as follows:

1 st contact information session attended:	1,124
2 nd contact information session attended:	690
Mediated sessions attended:	906
Agreements:	408

Naas District Court Initiative

Working from the model established in Dolphin House, the Family Mediation Service and the Courts Service in Naas District Court commenced a similarly structured project operating from Naas Courthouse from September 2012. This project has continued throughout 2013. An FMS mediator is available in-situ in the Courthouse on a Monday and Tuesday and initial referrals and appointments are made through the District Court Clerk. Once the first information appointment has been made and attended the FMS mediator contacts the second party and offers them an information appointment. If both parties are interested in proceeding with mediation they begin the process. For the first part of 2013 the mediator was only available one day a week but this increased to two days from September 2013.

Statistics for the year were as follows:

1 st contact information session attended:	85
2 nd contact information session attended:	59
Mediated sessions attended:	75
Agreements:	16

Cork (District Court) Family Mediation Project

From September 2012 the FMS/Legal Aid Board and the Courts Service worked together to set up a court-related project in Cork. This commenced in January 2013. It differs from the Dolphin House and Naas projects in that FMS does not have a space in the Courthouse itself but is available to take referrals for information from the Courthouse in its Cork office in South Mall – a 10 minute walk across the river.

The figures attending were as follows from 1st January 2013 to 31st December 2013:

1 st contact information session attended:	131
2 nd contact information session attended:	103
Mediated sessions attended:	181
Agreements:	41

A number of the referrals came from solicitors and law centres as well as the Courts Service. A report and recommendations on the project are in preparation.

It should be noted that all of the above court-related initiatives are limited to parties applying for Custody, Access, Maintenance and Guardianship orders.

FMS Limerick / Nenagh Law Centre

From 1st September 2013, information sessions have been provided to triage clients, court referrals and walk-ins at Nenagh Courthouse on the 1st and 3rd Thursday of the month and in Clonmel Courthouse on the 2nd Tuesday of the month. Statistics for North Tipperary Pilot Project 2013 are as follows:

1 st contact information session attended:	33
2 nd contact information session attended:	18
Appointments given for mediation:	16

FMS/NUI Maynooth Family Mediation Training

The Family Mediation Service’s professional mediation training is accredited by NUI Maynooth, [the Edward Kennedy Institute], as part of the Masters in Mediation and Conflict Intervention. Students who take the two Family Mediation modules, one theoretical and one a placement with the FMS, (of nine that make up the Masters Degree) can be awarded the Post Graduate Certificate in Family Mediation and Conflict Intervention. This annual training programme is the only third-level University-linked training programme in Ireland. The training runs annually from September to April. There are currently five trainees placed with the FMS for the 2013-2014 training programme. The continuance of the training programme ensures that the standard and numbers of Family mediators available for contract work for the FMS are maintained and increased.

Criminal Legal Aid Ad-hoc Schemes

While historically the Legal Aid Board’s statutory remit has primarily pertained to civil legal aid, the Government agreed in 2010 to broaden the Board’s remit by transferring the responsibility for the administration and management of the various Criminal Legal Aid Schemes from the Department of Justice and Equality to the Legal Aid Board. The Government decision determined that responsibility for the following Schemes would be transferred to the Board:

- Criminal Legal Aid Scheme
- Attorney General’s Ad-hoc Scheme
- Garda Station Legal Advice Ad-hoc Scheme
- Criminal Assets Bureau Legal Aid Ad-hoc Scheme
- District Court (Counsel) Ad-hoc Scheme.

Responsibility for the administration of the Garda Station Legal Advice Scheme transferred to the Board on the 1st October 2011 and that for the Legal Aid Custody Issues Scheme (then titled the Attorney General’s Ad-hoc Scheme) on the 1st June 2012.

The remit for the Criminal Assets Bureau (CAB) Ad-hoc Scheme is scheduled to transfer to the Board in on the 1st of January 2014 with the District Court (Counsel) Ad-hoc Scheme early in 2014. Legislation providing for the transfer of the main Criminal Legal Aid Scheme is anticipated in 2014.

The experience gained in operating the Schemes taken over to date will inform and assist the Board as it prepares for the challenge of administering the remaining Schemes and, in particular, the more extensive and complex Criminal Legal Aid Scheme.

Garda Station Legal Advice Scheme

The Garda Station Scheme is designed to provide free legal advice to persons detained in Garda Stations who qualify under specific qualifying criteria. Overall post-tax expenditure on the Scheme in recent years is as follows:

Table 17: Expenditure on Garda Station Legal Advice Scheme

Year	2013	2012	2011	2010	2009
Expenditure €	0.8m	0.9m	1.2m	1.3m	1m

During 2013, the Board processed almost 4,000 claims received from 235 solicitor firms in respect of over 7,700 Garda Station detainee consultations.

The improvements in efficiency and the governance of the Scheme introduced by the Board in 2012, in the form of the streamlined claims process, a new Guidance Document and the introduction of a bespoke database developed by the Board, contributed to its effective operation in 2013. In addition, the wider range of statistics now available will assist the Department in its ongoing development of policy in relation to detentions in Garda Stations and, specifically, will assist in the process of preparing for the potential implementation of the new EU Directive on Access to a Lawyer in Criminal Proceedings.

**Table 18: Legal Aid Board/Garda Station Legal Advice Scheme
Annual Statistical Report 2013**

General Statistics		
1	Total cost of authorised claims (pre-tax)	€681,158
2	Cost of mileage authorised	€13,161
3	Overall number of claims authorised	3,947
4	Total claims authorised under Section 30, Offences Against the State Act 1939 (as amended)	287
5	Total claims authorised under Section 4, Criminal Justice Act 1984 (as amended)	3,295
6	Total claims authorised under Section 2, Criminal Justice (Drug Trafficking) Act 1996 (as amended)	297
7	Total claims authorised under Section 50, Criminal Justice Act 2007 (as amended)	68
8	Total claims authorised in respect of Extension Hearings	30
9	Total cost of Extension Hearings	€6,067
10	Total number of individual consultations authorised in respect of day-time period (9am-7pm)	2,584
11	Total number of individual consultations authorised in respect of night-time period (7pm-9am)	1,380
12	Total number of individual consultations authorised in respect of weekend or bank holiday period	824
13	Total number of individual phone consultations authorised	2,941
14	Total number of solicitor firms who had authorised claims	235

Table 19: Payments in 2013

Payments in 2013	
Average payment to a solicitor firm	€2,899
Average cost per solicitor claim	€173
Average cost per individual consultation	€87
Average number of claims per solicitor firm	17
Highest cost of an individual claim processed	€1,726
Lowest cost of an individual claim processed	€40

Legal Aid – Custody Issues Scheme

This Scheme, which was formerly known as the Attorney General’s Ad-hoc Scheme transferred to the Legal Aid Board on the 1st of June 2012.

The purpose of the Scheme is to provide, in certain circumstances, legal aid to persons who need it but who cannot afford it and where the case is not covered by either Civil Legal Aid or the Criminal Legal Aid Scheme. Access to the Scheme is subject to a recommendation by the relevant Court to the Legal Aid Board that the provisions of the Scheme would be made available to the applicant. The Scheme is an administrative, non-statutory arrangement whereby payments are made in respect of legal costs in the following forms of litigation:

- Habeas Corpus (Article 40) Applications
- Supreme and High Court Bail Motions
- Judicial Reviews that consist of or include certiorari, mandamus or prohibition and concern criminal matters or matters where the liberty of the applicant is at risk
- Applications under Section 50 of the Extradition Act 1965, Extradition Applications and European Arrest Warrants.

On taking over responsibility for the Scheme on 1st June 2012, the Board carried out a review of the Scheme’s implementation and, resulting from that process, introduced a number of changes to the manner under which claims are submitted, considered and processed through to payment, which has had a notable impact on the Scheme’s efficiency. To further improve the governance of the Scheme, in June 2013 the Board introduced a comprehensive Guidance Document on the Scheme’s provisions. Simultaneously, a number of new forms and documents were introduced to further improve the transparency and efficiency of the claims process. The new documents and forms have generally met with positive feedback, and the Scheme Provisions and Guidance Document has become the template for the Courts and the relevant legal practitioners to operate under the Scheme.

The Scheme operates under two distinct administrative processes, one dealing with High Court Bail Applications in criminal matters and a second, dealing with all other legal proceedings (non-bail side) falling under the Scheme’s provisions.

In 2013, the first full year in which the Scheme fell within its remit, the Board processed and authorised 306 claims totalling some 2.1 million Euro on the non-bail side of the Scheme. Claims arising on the non-bail side of the Scheme may include a number of individual payments to solicitors, barristers, interpreters and others who provided services to represent the Respondent. For administrative purposes, a separate process applies for High Court Bail Applications in criminal matters. Under the administrative process on the High Court Bail Application side of the Scheme some 1,820 claims were processed in 2013 to a total value of €1.3 million. Set out below is a range of statistics pertaining to the Board’s implementation of the Scheme for 2013 and also some historic expenditure figures which provide some context to those figures.

Table 20: Legal Aid Board/Legal Aid – Custody Issues Scheme

Annual Statistical Report 2013

Custody Issues Scheme - General Statistics 2013		
1	Number of live cases taken over from the Department on 1 st June 2012	68
2	Number of new cases received in Board	312
3	Number of cases received back from CSSO	225
4	Number of cases received back from DPP	22
5	Number of cases received back from HSE	3
6	Overall number of cases awaiting a response from CSSO at end 2013	46
7	Overall number of cases awaiting a response from DPP at end 2013	4
8	Overall number of cases awaiting a response from HSE at end 2013	0
9	Number of cases returned to solicitors under query	67
10	Number of cases authorised and forwarded for payment	306
11	Average cost per authorised claim	€5,645
12	Total value of claims authorised	€1,727,277

Table 21: Legal Aid – Custody Issues Scheme - Historic Annual Expenditure

Custody Issues Scheme/Historic Annual Expenditure	
2008	2m
2009	1.6m
2010	2.85m
2011	3.6m
2012	3.5m
2013	3.4m

Developing the Service

The Board's Corporate Plan 2012-2014 commits the Board to:

- Building on initiatives already underway to improve the cost effectiveness and quality of services provided.
- Developing new service delivery initiatives, to address increasing demand with an emphasis on:
 - Embracing new technology to better manage risk and performance and improve the effectiveness of service delivery;
 - Developing more cost effective methods of service delivery, including the full exploitation of the potential to utilise non-legal means of resolving disputes; and
 - Developing the capacity to successfully integrate new areas of work into the organisation's operations.

The Board has reported in recent years on the considerable increase in demand combined with the reduction in available staffing resources to provide the service. This has meant that the Board, in most of our centres, has been unable to meet its target of ensuring that every eligible applicant gets to see a solicitor for a first appointment within a four month period with a substantive service following.

As a result of the above factors the Board continues to report significant waiting times at law centres for non priority appointments (see Table 9). Nonetheless, the Board has continued in 2013 to seek to be creative in its approach to the provision of service.

Develop new service delivery initiatives to address increasing demand and the need to provide services in a resource constrained environment

Waiting for an appointment with a solicitor can lead to resolution of problems becoming more difficult; to creating long term difficulties in respect of relationships between parents involved in a dispute and their children; to associated problems arising; and to impacts on peoples' wider families and even communities. The Board in 2012 initiated a 'triage' process on a pilot basis in a number of law centres whereby the intention is that applicants will have a meeting of no more than 45 minutes duration with their solicitor within a month of applying to a law centre. This allows for an assessment of the problem and a consideration of the best means of addressing it. If a case is appropriate for a different approach, for example mediation, this can be proposed. If it is a matter that relevant information can assist the person in resolving an issue themselves then s/he can be so advised. Obviously, court resolution may also be the best approach and an applicant in such a situation will be so advised but, save for priority cases, will have to wait for that service. The Board is conscious that this is not the ultimate solution to the problem of waiting times but feels it is an appropriate and humane approach at a time of limited available resources. Table 9 indicates the centres where the triage process is in place and its impact.

Reference was made earlier to the new scheme of legal aid arising from the Courts and Civil Law (Miscellaneous Provisions) Act 2013 which was enacted in July 2013 and which makes provision for legal aid or advice to be provided for family members of a deceased in certain specified instances in Coroner's Courts. The Scheme is to be managed by the Board.

Progress was also made in 2013 on developing synergies between the Family Mediation Service and the Law Centres with a view to ensuring that the most effective means of resolving disputes is identified and utilised.

As has been noted earlier, the integrated mediation initiative involving the Courts Service, the FMS and the Board in Dolphin House in Dublin continues to develop and has been extended to Naas and Cork. The Dolphin project generated annualised savings of over €213,000, an increase of over €100,000 on the 12 month period to September 2012. The project had generated close to 1,000 agreements before the end of 2013.

On the criminal legal aid side preparations were completed to facilitate the transfer of responsibility for the Criminal Assets Bureau Legal Aid Scheme to the Board from 1st January 2015. Further measures were also put in place to enhance the efficiency of the two Ad-hoc schemes already transferred to the Board.

Developing the capacity to successfully integrate new areas of work into the organisation's operations

Most areas of legal aid are now integrated or in the course of being integrated within the Board. The transfer of responsibility for the Family Mediation Service to the Board has offered considerably greater scope to identify and support people in resolving disputes in the best way possible and not necessarily through the courts.

Progress was also made in 2013 towards finalising preparations for the Mental Health Commission legal aid scheme transferring to the Board and this is expected to happen in 2014.

As noted, the Criminal Assets Bureau legal aid scheme will transfer to the Board on 1st January 2014 and it is likely that the legislation transferring the main criminal legal aid scheme to the Board will near conclusion next year.

Making effective use of Technology

International experience has shown that information technology is likely to assume ever greater importance in the delivery of legal and mediation services and one of the Board's priorities in 2014 will be to examine how best IT can be exploited to better inform people regarding the Board's services and to support the actual provision of the services.

In 2013, further progress was made on the Board's case management system (EOS) and is now available on some 270 desktops in the Board. A significant element of the upgrade project relating to the Refugee Documentation Centre's Country of Origin database was completed during 2013. The bulk of the funding for this project was met through the EU.

Supporting Service Delivery

By virtue of its business model, the Legal Aid Board relies on a central support structure to facilitate and manage the delivery of services through its law centre network and other means. This central support structure is based in the Board’s Head Office in Cahirciveen and a support office in Dublin.

Legal Services Support

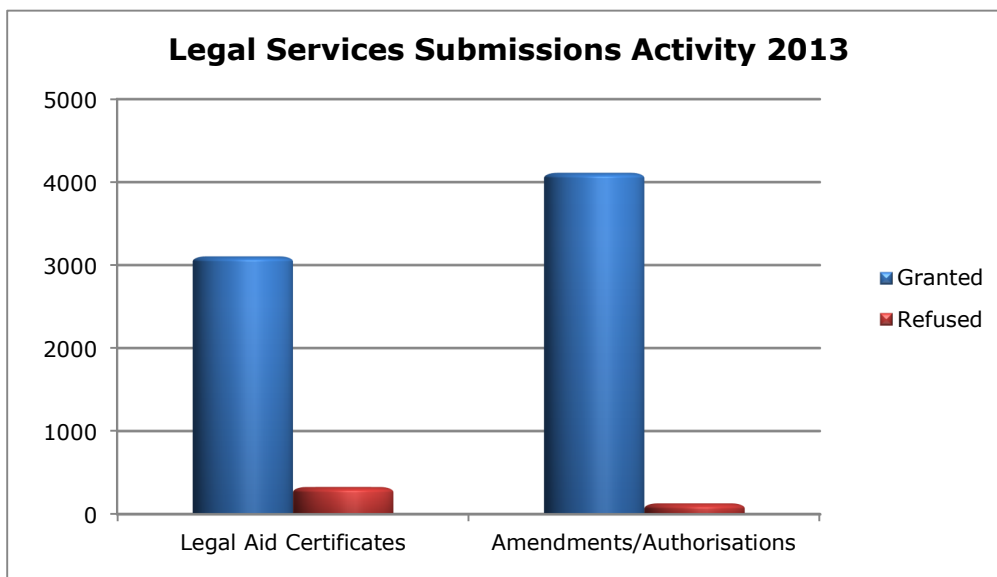
The grant or refusal of legal aid certificates is governed by the Civil Legal Aid Act, 1995, and associated Regulations. The Board’s operating model allows local law centres to grant legal aid certificates for most family-law District Court cases, which tend to be less complex and less expensive cases.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

For cases which require representation in the Circuit or Higher Courts, the decision-making function rests with the Board’s Legal Services Section, which is based in Cahirciveen. The decision to grant or refuse legal aid is made on foot of a submission from the relevant law centre solicitor, which sets out the salient facts. The authority for case-related expenditure, such as briefing counsel or procuring expert reports, also rests with Legal Services. This is a central part of the cost-control and governance role of the section. The decision making role carried out by Legal Services is aimed at ensuring that the limited resources available to the Board are directed at the most appropriate cases, as required by the legislation.

In 2013, there were 3,105 certificates granted by Legal Services on foot of submissions made by law centres on behalf of applicants, slightly down on the previous year. The unit also granted 3,533 amendments to legal aid certificates in the year. These amendments are effectively authorisations for additional services on a certificate, such as a barrister or a medical report. There were 579 authorities granted on cases prior to a decision on whether a legal aid certificate should be granted; these were primarily counsel opinions to help determine the merits of certain cases.

There were 330 formal refusals of legal aid on the merits criteria in 2013, with a further 130 refusals of amendments and other authorities. Applicants who are refused have the right of appeal and the section on the Appeal Committee above sets out the position with regard to the number of appeals heard.

Chart 7: Legal Services Submissions Activity 2013



Legal Services also administers the Board's Private Practitioner schemes. In the case of the District Court scheme, this involves processing payment of the claims received on foot of certificates issued as well as dealing with queries and requests for additional services from the solicitors on the panel. As can be seen in the Service Delivery chapter, there were over 5,640 District Court certificates issued in the year.

This unit is also the main contact point for queries from the public and other stakeholders, such as private practitioners, whether via telephone or email.

Civil Legal Aid (Operations)

This Unit is responsible for the operational delivery of legal services through the law centre network. A significant focus in 2013 was to continue the engagement with the law centres and, in particular, embed the IT based case management system that was rolled out across the organisation in 2012. Engagement with the law centres also focussed on rolling out and improving on a 'triage' type approach as a response to the long waiting times for services that unfortunately are being experienced by applicants. The 'triage' approach aims to ensure that an applicant is seen by a solicitor within a relatively short period of time in order that they can obtain early legal advice. The Unit also commenced the process of improving the synergies between the provision of legal services and the provision of mediation services to persons experiencing family problems with a view to giving clients experiencing difficulties of this nature more informed options of how the difficulties might be resolved.

Human Resources

Managing the deployment of the Board's workforce, in the light of the ongoing impact of the moratorium on public service recruitment and increased demand for services, was a key challenge for the Board during 2013. The main focus of the Board's efforts has been on maintaining staffing levels in front-line service delivery areas, insofar as possible. The Board's new Workforce Plan places a particular emphasis on this aspect of staff deployment.

The Board has also continued to focus on the active management of absenteeism, and as a result, the Board's lost-time rate, was reduced to 3.8% which is below the average for the Civil Service.

The Board continued to support the National Intern Strategy (JobBridge) during 2013 by offering work placement opportunities of up to nine months duration to unemployed solicitors in receipt of Job-Seekers allowance. 3 solicitors commenced in 2013 while a further 4 solicitors who had commenced JobBridge in 2012 continued their internship into 2013. The Board also facilitated a number of placements in front-line administrative roles. 6 administrative staff commenced during 2013 while a further 10 who had commenced in 2012 continued their internship into 2013.

The Board's Croke Park Agreement Action Plan contains a number of measures to improve the efficiency of the Board's operations and this has now been supplemented by the provisions of the Haddington Road Agreement. The progress made on implementing a number of measures in the Plan is reflected elsewhere in this report.

Learning and Development

All training actions undertaken in 2013 were directed by the current Learning and Development Strategy, which covers the period 2012 - 2014. This Strategy commits the Learning and Development Unit to fostering a learning culture in the organisation that responds to developing organisational needs while being fully aware of increasingly demanding financial restrictions.

Training Delivered

Learning and Development Unit organised/facilitated a total of 855 training days in 2013. While this represents an overall decrease on the previous year, due largely to the program of training undertaken in that year on the new legal case management system, training provided was more than sufficient to meet targeted organisational learning and development priorities, including Continuing Professional Development (CPD) requirements for the Board's solicitors.

Leadership Development Program

2013 saw the first phase of the Board's comprehensive Leadership Development Program rolled out to all solicitors in management positions. This multi faceted program involved a full 360 degree assessment of participants, followed by personal coaching and three distinct modules of leadership development training and is expected to be rolled out to further management grades of the organisation in due course.

The Board supported 27 applications from staff to pursue a course of education outside of working hours in 2013.

Family Law Conference

The Board's now annual Family Law Conference took place in NUI Galway in June of 2013 and addressed the topic *Does the present process of childcare cases in the courts system serve the best interests of the child?* A more interactive approach than in previous hosting of the conference was adopted this year and the event was very well received by participants.

The Partnership Process

The Board's Partnership Committee, comprised of 14 individuals representing the various grades and unions in the Board, met three times in 2013. Issues discussed by the Committee during the year included:

- The evolving role, function and future of the Committee itself;
- A review of the provision of Civil Legal Aid services;
- The integration of the Family Mediation Service into the Board;
- The transfer of responsibility for Criminal Legal Aid and associated schemes into the Board;
- The budgetary position of the Board;
- Service delivery; and
- Liaising with central government Departments and the Board's parent Department on the public service reform agenda.

Information and Communications Technology (ICT)

The primary focus of the ICT unit of the Board during 2013 was the maintaining of the legal case management system (EOS) and the upgrade of the data infrastructure.

The legal case management system is a single repository for all applicant and legal case management data. It includes standard workflows, letters and precedents for the proceedings undertaken by the Board. It incorporates time management, financial management, scanning, reporting, central calendar / diaries and a reminder system. It gives the staff a view of the full client / case file from first application to closure of file. The roll out of EOS included the introduction of scanning at all law centre locations. EOS also includes document collation whereby different types of documents (including scanned documents) can be automatically collated, indexed and paginated. The reporting software which accompanies EOS is being used to both monitor usage of EOS and generate a wide variety of business intelligence reports. Significant time and resources were committed to designing and building a management information structure. In the past, users created the reports for management manually which are now automatically generated. The system is available on approximately 270 desktops in the Board.

The Board's Citrix infrastructure reached end of life in 2013 and required an upgrade of both hardware and operating systems. The Board took the opportunity to virtualise this environment in order to implement the most cost effective solution. This was a significant project as the Board supports a network of fifty-two sites.

In 2013, the upgrade project which was the first step in the Refugee Documentation Centre's Country of Origin database connection to the EU Country of Origin portal was completed. This project has been approved for EU funding. The remainder of the project will take place in 2014.

Organisational Support

The Board's portfolio of properties is managed by Organisation Unit, based in Cahirciveen. This unit manages the provision of goods and services, including maintenance, to each of the locations occupied by the Board which has increased to 49 following the transfer of the Family Mediation Service (FMS). Whilst the Unit's primary objective is to ensure that each location is fit for purpose for the delivery of services, it has placed a particular emphasis in recent years on achieving this in the most cost-effective manner possible. This has been achieved through the use of appropriate tendering for goods and services and a strong focus on obtaining favourable outcomes in respect of rents where leases expired or reviews were undertaken. Operating costs have fallen accordingly and in 2013 were actually lower than they had been in 2006 despite the fact that the Board's property portfolio had increased substantially in the interim with the addition of the FMS properties.

One significant project undertaken in 2013 was the move of Kilkenny law centre to new premises. New, larger and more modern premises were secured and fitted out at a competitive cost with the added benefit of a lower annual rent than the outgoing premises.

Official Languages Scheme

The Board prepared its second Language Scheme under the Official Languages Act which was submitted to the Department of Arts, Heritage and the Gaeltacht in July 2011. An implementation plan was also prepared. The Scheme was considered by the Department in 2013 and a number of changes were recommended and queries were submitted. The Scheme was updated, revised and resubmitted. Approval of the Scheme by the Department is pending but, in the interim, the Board is continuing to meet its commitments under the first Scheme and has taken steps in 2013 to make some of the changes outlined in the implementation plan for the second Scheme.

During 2013 two queries from the office of An Coimisinéir Teanga were responded to with appropriate follow up actions taken where required.

Equality and Disability

The Legal Aid Board remains committed to providing equal access to its services to all people, regardless of their circumstances or abilities and continues to ensure that the provisions of the Disability Act 2005 and equality legislation are fully met. This is achieved by way of its Equality and Disability Strategy. Continued progress was made in 2013 in improving the accessibility of our services, including the Board's website, built environment, accessible information formats and procurement policy. The Board's Disability Liaison Officer and Access Officer play a vital role in ensuring that the organisation meets its statutory responsibilities to provide accessible services. Work commenced in 2013 in drafting a new Equality, Disability and Accessibility Strategy for the Board which will come into effect upon the expiry of the current strategy in December 2014.

Financial Management

The Board's Finance Unit is responsible for the financial management of the organisation. During 2013, the Unit continued to support the work of the Board through maintenance of effective accounting systems. Regular financial reports, together with periodic expenditure analysis reports were provided to Management, the Finance Committee and the Board to assist in the effective management of the Board's budget.

The Unit successfully facilitated the annual audit carried out on behalf of the Comptroller and Auditor General.

Internal Audit

In 2013, the Board's internal audit function continued to be provided on a part-time basis by two staff members. Their work focused mainly on carrying out audits at law centre level, which were expanded in 2013 to consider certain aspects of client file management following a recommendation by the Audit and Risk Management Committee. Audits on the following law centres were presented to the Committee during the year: Kilkenny, Gardiner Street, Tralee, Medical Negligence Unit, Ennis, Longford, Wicklow, Galway, Nenagh, Wexford and Castlebar. The Internal Audit function also presented an audit on travel and subsistence expenditure to the Committee in 2013.

The Audit and Risk Management Committee of the Board met six times during the year. As well as considering the internal audit reports, the Committee discussed the Board's Corporate Risk Register and Risk Materialisation Report twice during the year. The annual audit of the Board by the Comptroller and Auditor General as well as developments in respect of the Board's new case management system, EOS, were the other main areas on which the Committee focused.

Finance

The Board's financial statements for 2013 are shown at Appendix 1.

Income

The following are some comments on the sources of the Board's income.

(a) Grant-in-aid

As in previous years, most of the Board's income consists of a grant-in-aid received from the Department of Justice and Equality. Funding provided by the Government in 2013 was €33.759 million, as compared with €32.922 million in 2012.

(b) Contributions

Persons who are provided with legal services pay a contribution related to their income and, in some cases, their capital resources. The minimum contribution for legal advice was increased to €30 in September 2013 from €10 and the minimum contribution for representation in court was increased to €130 from €50. This minimum contribution can be waived in cases of hardship. Contributions received in 2013 (€875,482) were 5% higher than in 2012 (€832,292).

(c) Recovery of costs

The Board may recover the cost of providing legal services from:

- i. the other party to a dispute, either as a result of a court order or as part of an agreement to settle a dispute, or
- ii. from the legally aided person out of monies/property received by the person as a result of the provision of legal services.

The amount of costs recovered can vary significantly from year to year, especially if a legally aided person obtains an award for costs in a case in which the other party is in a position to meet the costs. This does not generally arise in family law cases, which form the bulk of the Board's caseload. Costs recovered in 2013 (€940,094) were 37% higher than in 2012 (€685,873).

Expenditure

The following are comments on the major items of expenditure shown in the 2013 financial statements:

1) Salaries

Salary and related costs decreased by €280,000 in 2013. This was mainly due to the impact of the Haddington Road agreement.

2) Accommodation and establishment costs

Expenditure in this area has decreased by €242,185 (5%) in 2013. This was largely down to efficiencies achieved with the transfer of the Family Mediation Service property leases to the Board.

3) Legal fees and expenses

There are a number of differing elements covered in this heading - see Note 9 to the accounts - and comment is provided on each of the various headings comprising the total as follows:

(i) Counsel fees

Expenditure on counsel fees decreased by €538,978 (11%) when compared with 2012.

An increased level of expenditure in respect of the LAB was a factor in this. The increase in the demand for civil legal aid during 2012 would also have an impact on counsel fees.

The accrual for counsel fees, where work has been undertaken but not yet presented for payment at December 31st 2013, stands at €4.353 million, 6.3% lower than at the end of 2012.

The following table shows the trend in expenditure on counsel fees in respect of legal aid and advice over the past seven years.

Table 22: Counsel Fees

Year	Counsel Fees
2007	€4,903,000
2008	€3,986,500
2009	€5,125,472
2010	€4,793,475
2011	€4,889,622
2012	€5,032,263
2013	€4,493,286

(ii) Legal fees (Expert witnesses etc.)

These case-related expenses are the additional expenses incurred by the Board, over and above counsel fees, in providing a civil legal aid and advice service to members of the public. The expenditure amount under this heading is derived from the requirements of the cases handled by the Board in any particular year.

There was an increase in expenditure of 4% from 2012 to 2013.

(iii) Private practitioner scheme

Expenditure on the private practitioner scheme was €3.279 million in 2013, which was 8% higher than the 2012 outturn.

At December 31st 2013, the accrual for private practitioner fees, where work has been incurred but not yet presented for payment, stood at €3.01 million. The accrual for 2012 was €2.537 million.

(iv) Professional Mediation Fees

In 2013, €507,000 was paid to mediators for work carried out on behalf of the Family Mediation Service. This was a significant increase on the 2012 figure of €274,000.

(v) Other professional fees

Costs under this heading relate to the engagement by the Board of professionals to provide independent legal advice and other professional services to the Board. Expenditure in 2013 was significantly lower than in 2012 due to the inclusion of a separate heading for Professional Mediation fees. In 2012, €274,000 paid to mediators for work carried out was included in other professional fees.

(vi) Other expenses

This category saw a similar spend in 2013 to 2012.

4) General administration

Costs under this heading were 16% lower in 2013 at €1.783 million.

The following chart shows a breakdown of expenditure by the Board over the last five years.

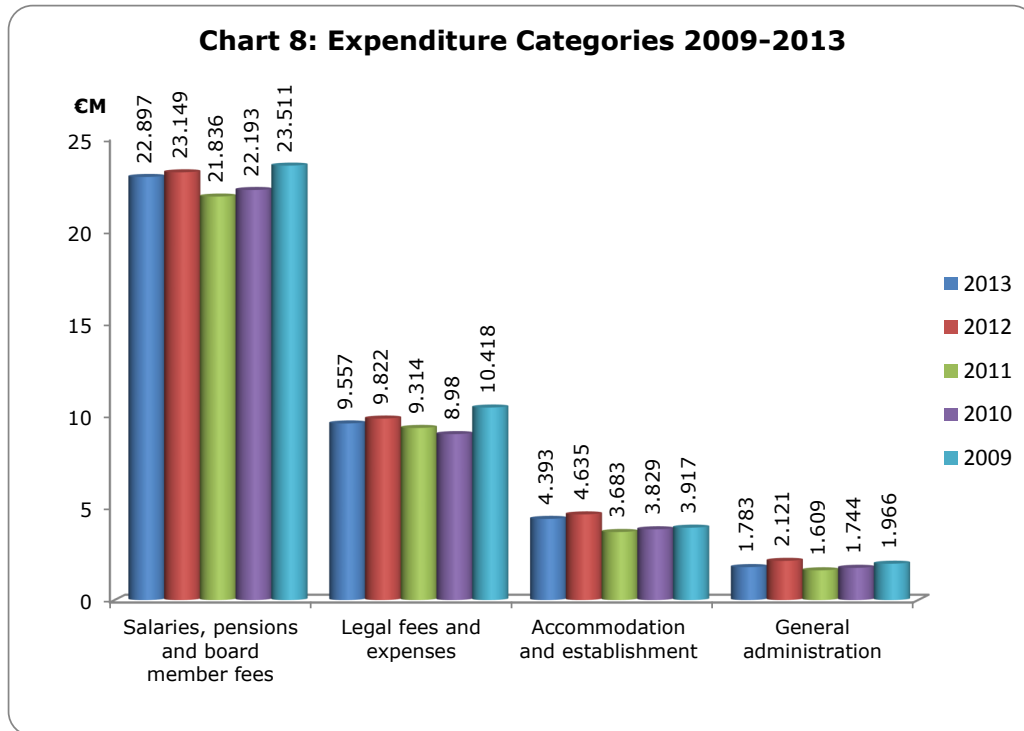
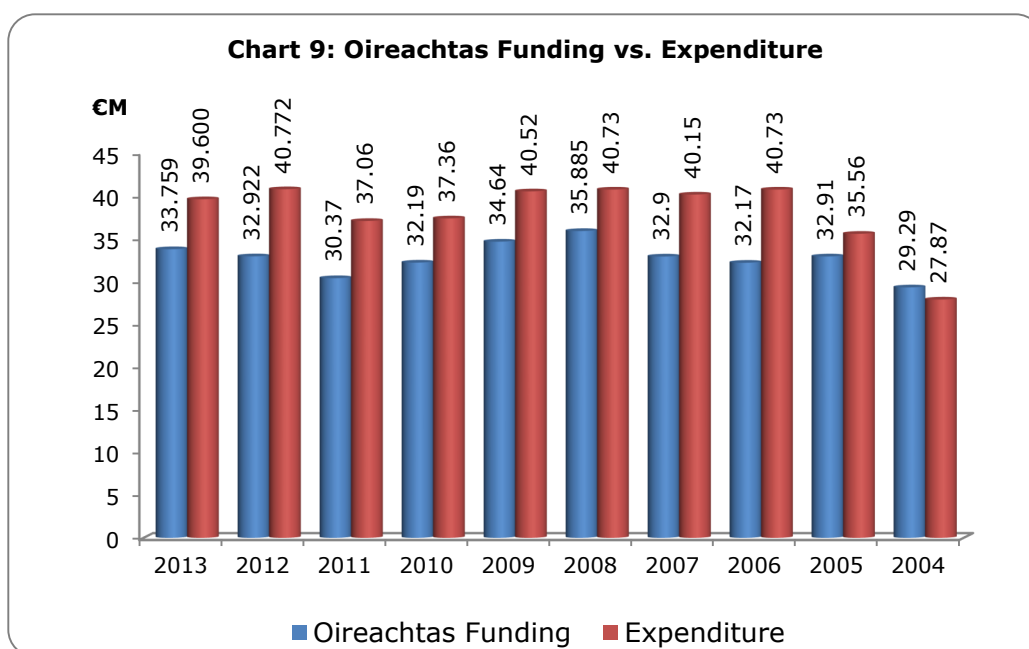


Chart 9 below shows the relationship between Oireachtas funding and actual expenditure over the last ten years.



Cash at bank and on hand

The Balance Sheet shows that the Board had €3.7 million on hand at the end of 2013. This included €1.046 million held on behalf of clients. It can be seen from Note 14 to the accounts that the throughput of client funds in 2013 was €4.57 million. This arises from cases where, as a result of legal advice or representation in court, clients received monies either from the other party or from the disposal of property. All such monies are initially lodged to the Legal Aid Client Fund Account before being returned to clients less, in some cases, an amount in respect of costs incurred by the Board in providing legal services. The cash at bank figure, apart from client funds, is similar to the level of expenditure incurred by the Board each month and is considered to be a reasonable level of funding to have on hand at any one time.

Prompt Payment of Accounts Act, 1997

Section 4 of the Prompt Payment of Accounts Act, 1997 requires the Board to pay for the supply of goods or services by the *prescribed payment date*. This date is currently 30 days after the receipt of an invoice, or a lesser period as may be specified in a written contract. If the Board fails to make payment by the prescribed payment date, interest is payable to the supplier. Procedures ensure that the Board complies in all material respects with the requirements of the Act. The total amount of late payment interest paid to suppliers of goods and services during 2013 amounted to €0.

Appendix 1

Financial statements for the year ended 31 December 2013

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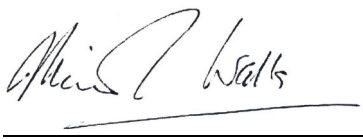
Statement of Board Responsibilities

Section 20 of the Civil Legal Aid Act, 1995 requires the Board to keep, in such form as may be approved by the Minister for Justice and Equality, with the consent of the Minister for Finance, all proper and usual accounts of any moneys received or expended by it.

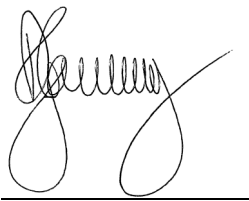
In preparing those Financial Statements, the Board is required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Fund will continue in operation; and
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the Legal Aid Board and which enable it to ensure that the financial statements comply with Section 20 of the Act. The Board is also responsible for safeguarding the assets of the Legal Aid Board and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.



Muriel Walls
Chairperson



David Garvey
Board Member

Legal Aid Board

Statement on Internal Financial Control

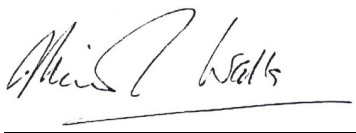
1. On behalf of the Board of the Legal Aid Board, I acknowledge that the Board is responsible for ensuring that an effective system of internal financial control is maintained and operated for the organisation.
2. Any such system can provide only reasonable and not absolute assurance against material error. In considering the effectiveness of internal financial controls the Board has regard, among other things, to the requirements of the Code of Practice for the Governance of State Bodies.
3. The key procedures that have been put in place by the Board, designed to provide effective internal financial control, include
 - **Control Environment:** the management and executive functions of the Board are delegated to the Chief Executive and senior management of the organisation by resolutions of the statutory Board, which monitors and reviews the work of senior management, who report to it at its monthly meetings and through its various committees. A Corporate Governance Manual was developed in 2006 to provide a clear and comprehensive summary of the principal aspects of corporate governance for the Board and senior management. Actions have been taken to ensure compliance with the revised Code of Practice for the Governance of State Bodies, published in June 2009. These actions included the amending of the Board's own Corporate Governance Manual to take account of the 2009 Code of Practice and the revised Corporate Governance Manual was formally approved by the former Board at its meeting in November 2009. A revised Code of Business Conduct for Board Members was also approved by the former Board in October 2009. As required under the 2009 Code of Practice, the Board developed and implemented a Travel Policy during 2009 which sets out how the Board complies with the current Department of Finance regulations and guidelines on travel and subsistence. A financial fraud prevention policy for the Board was approved and implemented during 2008 which includes, inter alia, procedures whereby employees of the Board may in confidence, raise concerns about possible irregularities in financial reporting and other matters and ensure that such matters are followed up in a meaningful way. A Corporate Procurement Policy was finalised in September 2010 and forwarded to the Finance and Audit and Risk Management Committees for information prior to implementation. The current Board was appointed in December 2011 and was fully briefed on Board roles and responsibilities.
 - **Budget Information Systems:** the Board has a comprehensive budgeting system that includes approval by the statutory Board of annual budgets and monitoring of monthly financial reports. Budgets are used to plan, authorise, monitor and control the way the funding of the Board is determined, allocated and spent. The arrangements for budgetary control include the provision of regular, relevant and timely financial information to monitor income and expenditure in all areas and corrective action is taken where necessary. The Finance Committee is a committee of the Board which considers the Board's finances in detail and reports to the Board on the financial affairs and policies of the Board. This includes the review of budgets and financial reports, the recommendation of approval of the Board's annual accounts to the Board and detailed consideration of financial matters in order to make appropriate recommendations to the Board and to advise management. Decisions are taken either by the Board or by management, as appropriate, having regard to the recommendations and advice of the committee. The Finance Committee met on seven occasions during 2013 and, as part of its functions, examined in detail three key areas of

expenditure: Training; Other Establishment Costs; and Professional Fees. Over the past two years, eight key areas of expenditure have been examined by the Committee. During 2013, in addition to the monthly financial reports, the Committee also considered two quarterly financial reviews and a mid year review of finances.

- Risk Management: the Board has adopted and implemented a clearly defined Risk Management policy and maintains a formal Risk Register that documents business risks and associated mitigations, controls and actions for all aspects of the Board's activities through the application of risk analysis techniques to its business objectives. Risk analysis principles have been systematically applied to the objectives of all Business Plans for the Board and risk management forms an integral part of the Business Planning process. One of the functions of the Audit and Risk Management Committee of the Board is to provide an independent opinion on the adequacy of the Board's risk management arrangements. In February 2009, the former Committee agreed to a change in its procedures and terms of reference to reflect the increasing importance of and focus on managing corporate risk. As a result of this change, the Committee was re-titled the Audit and Risk Management Committee (previously Audit Committee). An external member to the Board was reappointed to the new Committee in January 2012. In March 2010, a formal risk materialisation reporting system on any potential and real risks that materialised or near miss occurrences was implemented. The report has been modelled on the Board's Corporate Risk Register and is updated in conjunction with the risk register on a twice yearly basis. The Board's risk register was revised in January 2013 to reflect each individual area of the Board and the particular risks associated with each area to ensure that all risks are captured and to maximise a risk focused approach. The revised version of the risk register was presented to the Committee in January. Both the risk register and the risk materialisation reports were presented to the Committee in February and October 2013. The former Committee adopted recommendations arising from the Board's review of the internal audit process in October 2010. As part of this review, Management carried out an examination of the capacity and role of the Board's internal audit function and brought forward proposals on this issue to the former Committee. The review identified, inter alia, that the risk register should be consulted and the highest areas of risk should be identified in the context of determining the key areas for examination by the internal audit function. The Committee agreed proposals which provided for a greater role for the internal audit function in reviewing client files. In March 2013, the scope of the internal audits on law centres was expanded to include an element of file review as recommended by the Committee. The Board has recently developed two specific risk monitoring reports on the legal case management system to assist it in monitoring and reporting on risk and these reports were presented to the Committee. It is anticipated that the legal case management system will become a critical management tool for reviewing files in the future. The Committee met on 6 occasions in 2013.
- Procedures: the Board has clearly defined financial instructions and procedures, including delegated spending and authorisation limits and segregation of duties, approved by resolution of the statutory Board. In addition, the statutory Board has reserved approval of expenditure on contracts with value in excess of €65,000, while the Finance Committee of the statutory Board is notified of all contracts with value in excess of €10,000 and less than €65,000. During 2013, the internal audit function of the Board carried out audits of accounts and procedures in eleven of the Board's law centres. The Audit and Risk Management Committee expanded the role of the Internal Audit function in 2012 to include an examination of other relevant matters in law centres in addition to assessing the adequacy of internal financial controls.

- Monitoring of Internal Control: the Board has an Internal Audit function whose annual audit programme is approved by the Audit and Risk Management Committee of the statutory Board and one of whose functions is to review all aspects of internal financial controls. The Audit and Risk Management Committee reviews the work and recommendations of the Internal Audit function and monitors the action taken by management to resolve any issues that have been identified. The former Committee adopted a Charter for the Internal Audit function of the Board early in 2011. The Charter sets out the roles and responsibilities of the Internal Audit function, including the planning, reporting and accountability elements of its operation. The Committee also reviews all significant reports received by the Board from the external auditors, including management's responses to these and makes recommendations on the issues raised. Correspondence with the Comptroller and Auditor General, including the audit Management Letter, and any issues raised, are brought to the attention of the Audit and Risk Management Committee and the statutory Board, which ensures that issues raised are acted upon. The Committee noted the follow-up provided by the Internal Audit Unit of the Department of Justice and Equality on two audits which had been carried out previously. I can confirm that all issues raised since the 2012 audit have been addressed and any relevant recommendations adopted. The Audit and Risk Management Committee is required to produce a formal report within three months of the end of the calendar year, outlining its activities, together with such advice and recommendations as it deems appropriate. The Committee report was completed in March 2014 and was presented to the Board in conjunction with the Management response at its meeting on 25th April 2014.

I confirm that during the year ended 31 December 2013, the Board conducted a review of the effectiveness of the Board's system of internal financial controls.



Muriel Walls
Chairperson

Date: 18th September 2014



Comptroller and Auditor General
Report for presentation to the Houses of the Oireachtas

Legal Aid Board

I have audited the financial statements of the Legal Aid Board for the year ended 31 December 2013 under the Civil Legal Aid Act 1995. The financial statements, which have been prepared under the accounting policies set out therein, comprise the statement of accounting policies, the income and expenditure account, the statement of total recognised gains and losses, the balance sheet, the cash flow statement and the related notes. The financial statements have been prepared in the form prescribed under Section 20 of the Act, and in accordance with generally accepted accounting practice in Ireland.

Responsibilities of the Board

The Board is responsible for the preparation of the financial statements, for ensuring that they give a true and fair view of the state of the Legal Aid Board's affairs and of its income and expenditure, and for ensuring the regularity of transactions.

Responsibilities of the Comptroller and Auditor General

My responsibility is to audit the financial statements and report on them in accordance with applicable law.

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation.

My audit is carried out in accordance with the International Standards on Auditing (UK and Ireland) and in compliance with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements, sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of

- whether the accounting policies are appropriate to the Board's circumstances, and have been consistently applied and adequately disclosed
- the reasonableness of significant accounting estimates made in the preparation of the financial statements, and
- the overall presentation of the financial statements.

I also seek to obtain evidence about the regularity of financial transactions in the course of audit.

In addition, I read the Board's annual report to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies, I consider the implications for my report.

Opinion on the financial statements

In my opinion, the financial statements, which have been properly prepared in accordance with generally accepted accounting practice in Ireland, give a true and fair view of the state of the Legal Aid Board's affairs at 31 December 2013 and of its income and expenditure for 2013.

In my opinion, proper books of account have been kept by Board. The financial statements are in agreement with the books of account.

Matters on which I report by exception

I report by exception if

- I have not received all the information and explanations I required for my audit, or
- my audit noted any material instance where money has not been applied for the purposes intended or where the transactions did not conform to the authorities governing them, or
- the information given in the Board's annual report is not consistent with the related financial statements, or
- the statement on internal financial control does not reflect the Board's compliance with the Code of Practice for the Governance of State Bodies, or
- I find there are other material matters relating to the manner in which public business has been conducted.

I have nothing to report in regard to those matters upon which reporting is by exception.

Seamus McCarthy
Seamus McCarthy
Comptroller and Auditor General
30 September 2014

Statement of Accounting Policies

General

The Legal Aid Board, which is provided for under Section 19 of the Civil Legal Aid Act, 1995, is managed by a Legal Aid Board appointed by the Minister for Justice and Equality.

The Fund consists of all the financial resources of the Board. In 2013, the Board operated out of 33 full-time centres and 12 part-time centres throughout the country.

Family Mediation Service

Responsibility for this service was transferred to the Board in November 2011.

Expenditure for this service is included in the financial statements as follows;

	€000
Salaries	1,522
Professional Mediation Fees	519
Accommodation & Establishment expenses	775
General administration	209
Total 2013 expenditure	3,025

Transfer of Functions

Criminal Legal Aid Scheme

The Board administers certain legal aid schemes on behalf of the Department of Justice and Equality, these being the Garda Station Legal Advice Ad-hoc scheme and the Attorney General Ad-hoc scheme. The schemes' costs continue to be met from the Department of Justice and Equality Subhead C.1.

The Board estimates the total cost of administering the schemes as €250,000.

Basis of accounting

The financial statements are prepared under the accruals method of accounting, except as indicated below, and in accordance with generally accepted accounting principles under the historical cost convention. Financial Reporting Standards recommended by the recognised accountancy bodies are adopted, as they become operative.

Going Concern

The Legal Aid Board is a statutory body established under the Civil Legal Aid Act 1995.

The financing of the Board's activities is predominantly met by grant-in-aid and exchequer funding from the Department of Justice and Equality.

During the financial year the Board carried out a comprehensive exercise for the purpose of assessing the Board's accrued liabilities figure, in particular, Counsel Fees and the Private Practitioner service.

The balance sheet at 31st December 2013 shows an excess of liabilities over assets of €4,329,388.

This deficit arises from the timing difference between receipt of funding to pay liabilities for legal services when they are due for payment and the provision for these liabilities that is recognised in these accounts under the accruals method of accounting.

A letter of ongoing support has been received from the Secretary of the Department of Justice and Equality confirming that the Board's activities will be funded into the future. The Board takes the view that the going concern accounting convention applies to the accounts which represent the operations of the Board as long as the provisions of the Civil Legal Aid Act 1995 remain in existence.

The Board knows of no review of its operations or intention to suspend its activities or merge it with other organisations. It has therefore been considered appropriate to adopt a going concern basis for the preparation of these financial statements.

State grants

Income under this heading is accounted for on a cash receipts basis.

Contributions from aided persons

Due to the nature of this income, i.e. contributions from persons of modest means, it is considered prudent to account for such income on a cash receipts basis. The estimated amount collectable at 31 December, 2013 was approximately €19,000. There were no bad debts written off in 2013.

Costs Recovered

The Board may recover the costs of providing legal services from:

- (a) the other party to a dispute, either as a result of a court order or as part of an agreement to settle a dispute, or
- (b) from the legally aided person, out of moneys/property received by the person as a result of the provision of legal services.

The costs are accounted for on a cash receipts basis.

Fixed assets and depreciation

Fixed assets are shown on the Balance Sheet at cost less accumulated depreciation.

Depreciation, which is calculated over the useful life of the assets using the straight line method, is charged at the following annual rates:-

Leases, office furniture & equipment, and premises fit out	20%
Computer equipment	33%

A half year's depreciation is charged in the year of purchase and in the year of disposal.

Clients' Funds

These funds represent the gross amounts plus interest accrued, which were held by the Board at 31 December 2013, on foot of awards or settlements made in favour of clients represented by the Board. The Board may recover these from the total cost of providing such legal services and the balance is paid to the persons represented.

Capital Account

The Capital Account represents the unamortised amount of income used to purchase fixed assets.

Pensions

The Legal Aid Board operates a defined benefit pension scheme, which is funded annually on a pay as you go basis from monies available to it, including monies provided by the Department of Justice and Equality and from contributions deducted from solicitors' salaries.

Pension costs reflect pension benefits earned by solicitor staff in the period and are shown net of staff pension contributions which are retained by the Legal Aid Board. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable, and offset by grants received in the year to discharge pension payments.

Actuarial gains or losses arising on scheme liabilities are reflected in the Statement of Total Recognised Gains and Losses and a corresponding adjustment is recognised in the amount recoverable from the Department of Justice and Equality. Pension liabilities represent the present value of future pension payments earned by solicitor staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the Department of Justice and Equality.

Provisions

A provision is recognised when an obligation (whether legal or constructive) arises as a result of a past event, and when it is probable that a transfer of economic benefit will be required to settle the obligation and that it can be reliably estimated.

The Legal Aid Board estimates the value of unbilled live cases each year to arrive at the amounts disclosed within the accounts as a provision. The amount is an estimate of the expenditure required to settle any obligation at the balance sheet date.

In estimating the provision, the Board has adopted prudent measurement techniques based on the latest data available. Improved data capture methods have been utilised in the Board's estimate for the current year.

No income is anticipated for cases that may recover costs.

LEGAL AID FUND

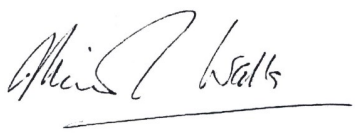
Income and Expenditure Account

For the year ended 31 December 2013

	Note	2013		2012	
		€	€	€	€
Income					
State funding	1	33,759,000		32,922,000	
Net deferred funding for pensions	2 c	3,185,230		3,629,305	
Contributions from aided persons		875,482		832,292	
Costs recovered		940,094		685,873	
Other income	3	<u>390,049</u>		<u>507,906</u>	
			39,149,855		38,577,376
Transfer from Capital Account	4		<u>713,938</u>		<u>542,739</u>
			39,863,793		39,120,115
Expenditure					
Salaries and related expenses	5	18,903,711		19,183,719	
Pension Costs	2 a	3,953,654		3,927,101	
Fees to Board members		39,672		38,115	
Accommodation and establishment expenses	8	4,392,956		4,635,141	
Legal fees & expenses	9	9,557,462		9,821,882	
General administration	10	1,782,555		2,120,733	
Depreciation	11	953,284		1,027,269	
Audit fee		16,700		18,095	
			<u>39,599,994</u>		<u>40,772,054</u>
Deficit for year			263,799		(1,651,939)
Opening balance as at 1 January			<u>(5,483,554)</u>		<u>(3,831,615)</u>
Closing balance as at 31 December			<u>(5,219,755)</u>		<u>(5,483,554)</u>

All income and expenditure for the year 31 December 2013 relates to continuing activities.

The Statement of Accounting Policies, together with Notes 1 to 19, form part of these financial statements.



Muriel Walls
Chairperson



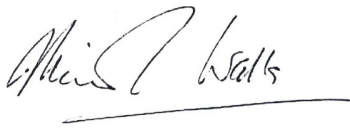
Moling Ryan
Chief Executive

Statement of Total Recognised Gains and Losses

For the year ended 31 December 2013

		2013 €	2012 €
Surplus/(Deficit) for year		263,799	(1,651,939)
Experience losses/(gains) on pension scheme liability	2 d	3,085,230	1,529,305
Changes in assumptions underlying the present value of pension scheme liabilities		0	0
Actuarial loss/(gain) on Pension Liabilities	2 b	3,085,230	1,529,305
Adjustment to Deferred Pension Funding		(3,085,230)	(1,529,305)
Total Recognised Gains/Losses		263,799	(1,651,939)

The Statement of Accounting Policies, together with Notes 1 to 19, form part of these financial statements.



Muriel Walls
Chairperson



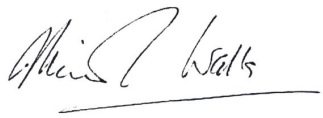
Moling Ryan
Chief Executive

Balance Sheet

As at 31 December 2013

	Note	2013		2012	
		€	€	€	€
Fixed assets	11		890,367		1,604,305
Current assets					
Cash at bank and on hand		3,732,573		2,489,673	
Debtors and prepayments	12	<u>610,470</u>		<u>880,457</u>	
		4,343,043		3,370,130	
Less current liabilities					
Creditors and accruals	13	8,541,647		8,087,605	
Clients' funds	14	<u>1,021,151</u>		<u>766,079</u>	
		9,562,798		8,853,684	
Net current (liabilities)			<u>(5,219,755)</u>		<u>(5,483,554)</u>
Total assets less current Liabilities before Pension			(4,329,388)		(3,879,249)
Deferred pension funding	2 c	39,900,000		39,800,000	
Pension liabilities	2 b	<u>(39,900,000)</u>		<u>(39,800,000)</u>	
		0		0	
Total assets			<u>(4,329,388)</u>		<u>(3,879,249)</u>
Represented by:					
Income and Expenditure Account			(5,219,755)		(5,483,554)
Capital Account	4		<u>890,367</u>		<u>1,604,305</u>
			<u>(4,329,388)</u>		<u>(3,879,249)</u>

The Statement of Accounting Policies, together with Notes 1 to 19, form part of these financial statements.



Muriel Walls
Chairperson



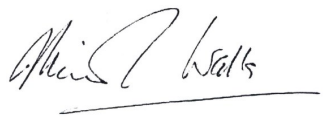
Moling Ryan
Chief Executive

Cash Flow Statement

For the Year Ended 31 December 2013

	Note	2013 €	2012 €
Net cash inflow/(outflow) from operating activities	16	1,376,274	(979,569)
Returns on investment and servicing of finance			
Interest received		117,823	148,698
Interest paid on client settlements		(11,851)	(10,761)
Investing activities			
Sale of tangible assets		0	0
Purchase of tangible assets		(239,346)	(484,530)
Net cash inflow (outflow)		<u>1,242,900</u>	<u>(1,326,162)</u>
Increase (Decrease) in cash	17	<u>1,242,900</u>	<u>(1,326,162)</u>

The Statement of Accounting Policies, together with Notes 1 to 19, form part of these financial statements .



Muriel Walls
Chairperson



Moling Ryan
Chief Executive

Notes to the Financial Statements

For the Year Ended 31 December 2013

1. State Funding

State funding was received from Vote 19- Office of the Minister for Justice and Equality as follows:

Subhead:	2013 €	2012 €
C.2 Grant-in-Aid	33,759,000	32,922,000
D.2 Asylum Seekers Taskforce - Legal Aid	0	0
	<u>33,759,000</u>	<u>32,922,000</u>

2. Pension Costs

(a) Analysis of total pension costs charged to Expenditure	2013 €	2012 €
Current service cost	2,200,000	2,250,000
Interest on Pension Scheme Liabilities	2,200,000	2,100,000
Employee Contributions	(446,346)	(422,899)
	<u>3,953,654</u>	<u>3,927,101</u>

(b) Movement in Net Pension Liability during the financial year	2013 €	2012 €
Net Pension Liability at 1 January	39,800,000	37,700,000
Current Service Cost	2,200,000	2,250,000
Interest Costs	2,200,000	2,100,000
Actuarial (Profit)/Loss	(3,085,230)	(1,529,305)
Pensions paid in the year	(1,214,770)	(720,695)
Net Pension Liability at 31 December	<u>39,900,000</u>	<u>39,800,000</u>

(c) Deferred Funding Asset for Pensions

The Legal Aid Board recognises these amounts as an asset corresponding to the unfunded deferred liability for pensions on the basis of the set of assumptions described above and a number of past events. These events include the statutory basis for the establishment of the superannuation scheme, and the policy and practice currently in place in relation to funding public service pensions including contributions by employees and the annual estimate process. While there is no formal agreement regarding these specific amounts with the Department of Justice and Equality, the Board has no evidence that this funding policy will not continue to meet such sums in accordance with current practice.

The Net Deferred Funding for Pensions recognised in the Income and Expenditure Account was as follows:

	2013 €	2012 €
Funding recoverable in respect of current year pension	4,400,000	4,350,000
State grant applied to pay pensioners	(1,214,770)	(720,695)
	<u>3,185,230</u>	<u>3,629,305</u>

The deferred funding asset for pensions as at 31 December 2013 amounted to €39.9 million (€39.8 million in 2012).

Pension Costs Cont'd

(d) History of defined benefit obligations

	2013 €	2012 €	2011 €
Defined Benefit obligations	39,900,000	39,800,000	37,700,000
Experience losses / (gains) on Scheme liabilities amount	3,085,230	1,529,305	2,659,943
Percentage of the present value of the Scheme liabilities	8%	4%	7%

The cumulative actuarial gain recognised in the Statement of Total Recognised Gains and Losses amounts to €6,945,683.

(e) General Description of the Scheme

The pension scheme is a defined benefit final salary pension arrangement with benefits and contributions defined by reference to current "model" public sector scheme regulations. The scheme provides a pension (eightieths per year of service), a gratuity or lump sum (three eightieth per year of service) and spouse's and children's pensions. Normal Retirement Age is a member's 65th birthday, and pre 2004 members have an entitlement to retire without actuarial reduction from age 60. Pensions in payment (and deferment) normally increase in line with general public sector salary inflation.

The valuation used for FRS 17 (Revised) disclosures has been based on a full actuarial valuation (May '14) by a qualified independent actuary taking account of the requirements of the FRS in order to assess the scheme liabilities at 31 December 2013.

The principal actuarial assumptions were as follows:

	2013	2012
Rate of increase in salaries	4.0%	4.0%
Rate of increase in pensions in payment	4.0%	4.0%
Discount Rate	5.5%	5.5%
Inflation Rate	2.0%	2.0%

The average future life expectancy according to the mortality tables used to determine the pension liabilities were as follows:

	2013	2012
Male aged 65	22	22
Female aged 65	25	25

3. Other income

	2013 €	2012 €
Interest received and receivable	86,706	109,395
Sundry receipts	303,343	398,511
	<u>390,049</u>	<u>507,906</u>

4. Capital Account

	€	€
Balance as at 1 January 2013		1,604,305
Transfer to Income and Expenditure Account		
- Income used to purchase fixed assets	239,346	
- Amount released on disposal of fixed assets	0	
- Income amortised in year in line with depreciation of assets	<u>(953,284)</u>	<u>(713,938)</u>
Balance as at 31 December 2013		<u>890,367</u>

5. Employee numbers and costs

The total staff complement as approved by the Minister at 31 December, 2013 was 373. The number of staff actually employed by the Board at 31 December, 2013 was 368 (2012 - 365). The average number of employees in the Board during the year was 365 (2012 - 364). Employee and related costs were as follows:

	2013 €	2012 €
Salaries	17,528,883	17,825,109
Cost of Secondment	55,945	57,717
Employer PRSI	<u>1,318,883</u>	<u>1,300,893</u>
	<u>18,903,711</u>	<u>19,183,719</u>

€1,008,268 was deducted from staff by way of pension levy and was paid over to the Department of Justice and Equality.

6. Chief Executive Officer Salary and Expenses

	2013 €	2012 €
CEO Salary	141,121	145,894
CEO Expenses	3,531	3,079
	<u>144,652</u>	<u>148,973</u>

The CEO received salary payments of €141,121. The pre-existing performance related pay scheme was discontinued in 2008 and no bonus has been paid in 2013. The CEO also received an amount of €3,531 in respect of expenses.

The CEO is a member of an unfunded defined benefit public sector scheme and his pension entitlements do not extend beyond the standard entitlements in the public sector defined benefit superannuation scheme.

7. Board members Fees and Expenses

	2013 €	2012 €
Board Members Fees	39,762	39,621
Board Members Expenses	21,444	19,444
	<u>61,206</u>	<u>59,065</u>

Board Members	Fees	Board Members	Fees
David Garvey	7,695	Philip O'Leary	7,695
Catherine Hayes	7,695	Michelle O'Neill	7,695
Micheal O'Connell	7,695	Kieran Corcoran*	1,287

* External member of audit committee

8. Accommodation and establishment expenses

	2013 €	2012 €
Rents	2,960,527	3,096,440
Cleaning	227,646	310,089
Lighting and heating	377,853	323,633
Maintenance - Premises	507,448	561,715
Maintenance - Equipment	319,483	343,264
	<u>4,392,956</u>	<u>4,635,141</u>

9. Legal fees and other expenses

	2013 €	2012 €
Counsel fees	4,493,285	5,032,263
Legal fees (incl. expert witness fees)	611,746	591,021
Private Practitioner Schemes	3,279,423	3,027,992
Professional Mediation Fees	507,204	274,000
Other professional fees	165,768	405,158
Other expenses	500,037	491,448
	<u>9,557,463</u>	<u>9,821,882</u>

10. General administration

	2013 €	2012 €
Stationery and office expenses	300,820	305,886
Books and printing	98,943	121,189
Postage and telephone	853,086	1,054,848
Insurance	50,438	62,632
Travel and subsistence	479,268	576,178
	<u>1,782,555</u>	<u>2,120,733</u>

11. Fixed assets

	Lease €	Office Furniture €	Equipment & Computers €	Premises Fit Out €	Total €
Cost					
Balance as at 01/01/13	2,292,177	2,156,146	4,267,899	3,413,701	12,129,923
Acquisitions	0	1,228	220,593	17,525	239,346
Disposals	0	0	0	0	0
Balance as at 31/12/13	2,292,177	2,157,374	4,488,492	3,431,226	12,369,269
Depreciation of fixed assets					
Balance as at 01/01/13	2,292,177	1,691,966	3,176,884	3,364,591	10,525,618
Charge in year	0	260,713	652,909	39,662	953,284
Disposals	0	0	0	0	0
Balance as at 31/12/13	2,292,177	1,952,679	3,829,793	3,404,253	11,478,902
Net book value as at 31/12/13	<u>0</u>	<u>204,695</u>	<u>658,699</u>	<u>26,973</u>	<u>890,367</u>
Net book value as at 31/12/12	<u>0</u>	<u>464,180</u>	<u>1,091,015</u>	<u>49,110</u>	<u>1,604,305</u>

12. Debtors and prepayments

	2013 €	2012 €
Debtors - deposit interest	24,333	45,211
Prepayments		
- Rent	160,864	167,130
- Insurance	28,197	29,816
- Salaries	34,677	26,290
- Other	362,399	340,635
- Practising Certificates	0	271,375
	<u>610,470</u>	<u>880,457</u>

13. Creditors and accruals

	2013 €	2012 €
Amounts falling due within one year: Creditors & accruals	<u>8,541,647</u> <u>8,541,647</u>	<u>8,087,605</u> <u>8,087,605</u>

The Legal Aid Board estimates the value of unbilled live cases each year to arrive at the amounts disclosed within the accounts as a provision. The amount is an estimate of the expenditure required to settle any obligation at the balance sheet date. In 2013, the amount provided for in relation to unbilled cases was €7,363,149 (2012- €7,182,662).

In estimating the provision, the Board has adopted prudent measurement techniques based on the latest data available. Improved data capture methods have been utilised in the Board's estimate for the current year.

No income is anticipated for cases that may recover costs.

14. Clients' funds

	2013 €	2012 €
Client funds held at 1 January (Gross)	766,079	712,730
Interest	<u>(15,543)</u>	<u>(23,533)</u>
Client funds held at 1 January (Net of Interest)	750,536	689,197
<i>Add</i> Awards/settlements received during 2012	4,832,799	4,484,763
<i>Less</i> Settlements paid out, including interest allowed and costs recovered	<u>(4,576,116)</u>	<u>(4,423,424)</u>
Client funds held at 31 December	1,007,219	750,536
Interest accruing on client funds held	13,932	15,543
Total due to clients	<u>1,021,151</u>	<u>766,079</u>

15. Commitments

(a) Commitments under operating leases

The Board occupies premises at Cahirciveen, Co. Kerry and Mount Street, Dublin and operates out of 47 other centres throughout the country. The Board is committed to pay rent of € 2,942,336 during 2014 in respect of leases expiring as follows:

	2013 €	2012 €
2013	244,306	206,554
2015-2018	1,055,935	1,039,315
2019 onwards	1,642,095	1,642,095

(b) Commitments in respect of Legal Fees

Commitments in respect of Legal Fees

Counsel Fees and Private Practitioner Schemes

	2013 €	2012 €
Open cases certified at 1 January	14,347,470	14,564,077
Additional fees certified	7,355,535	7,750,564
Payments	<u>(7,592,221)</u>	<u>(7,967,171)</u>
	14,110,784	14,347,470
Provided for at 31 December	<u>(7,363,149)</u>	<u>(7,182,662)</u>
Outstanding commitments at 31 December	6,747,635	7,164,808

At 31 December 2013, the Legal Aid Board had a number of ongoing cases where the matter of fees had not yet been settled. In accordance with its operating policy on these matters the Legal Aid Board makes partial provision against these fees based on a statistical model which recognises the average term to crystallise for such costs. This model is applied consistently across all cases handled. At 31 December 2013, the Legal Aid Board had provided for legal fees of € 7,363,149 and had outstanding commitments in the amount of € 6,747,635.

16. Reconciliation of surplus for year to cash from operating activities

	2013 €	2012 €
(Deficit) for year	263,799	(1,651,939)
Adjustment for non-operating items		
Bank interest receivable	(86,706)	(109,395)
Movement on Capital Account	(713,938)	(542,739)
Adjustment for non-cash items		
Depreciation	953,284	1,027,269
(Increase)/Decrease in debtors	249,109	(17,291)
Increase / (Decrease) in creditors	710,725	314,526
	<u>1,376,274</u>	<u>(979,569)</u>

17. Movement of cash

	2013 €	2012 €
Balance at 1 January	2,489,673	3,815,835
Net cash inflow	1,242,900	(1,326,162)
Balance at 31 December	<u>3,732,573</u>	<u>2,489,673</u>

18. Refugee Legal Service

	2013 €	2012 €
Expenditure and income relating to the Refugee Legal Service are included in the financial statements as follows:		
Salaries and related expenses	3,080,600	3,769,254
Accommodation expenses	1,257,414	1,245,179
Legal fees and professional fees	418,702	822,082
General administration	54,158	78,700
Fixed assets purchased	93,193	203,872
	<u>4,904,067</u>	<u>6,119,087</u>
Less contributions from legally aided persons and costs recovered	131,824	320,735
	<u>4,772,243</u>	<u>5,798,352</u>
Total net expenditure in the year	<u><u>4,772,243</u></u>	<u><u>5,798,352</u></u>

19. Approval of Financial Statements

The Financial Statements were approved by the Board on May 20th 2014.

Appendix 2

Energy Usage 2013

Managing energy usage

The Board has a network of 50 offices throughout the country; 34 Legal Aid Board and 16 Family Mediation Service (FMS). The main source of energy is electricity, with gas heating in six offices and oil heating in the Cahirciveen head office.

Overview of energy usage in 2013

Total energy consumption for the board in 2013 was 1806 MWh. In 2013 the Board consumed 1513 MWh of electricity across its network of 50 offices. There was a total of 115 MWh of gas consumed. Oil Consumption in 2013 was 178 MWh. This was a reduction of a little over 6% on the figure of 201 MWh in 2012. There was an increase of 2.96% in energy consumption overall. This would be due in some part to the increase in the working day from 6 hours 57 minutes to 7 hours 24 minutes per staff member.

Actions undertaken in 2013

In 2013 the Board undertook a number of initiatives to improve our energy performance, including:

- Participation of the Board's head office in Cahirciveen in the OPW *Optimising Power at Work* initiative. The audits on head office in Cahirciveen show that the office maintained the low consumption figures for electricity and made a significant reduction on oil consumption over the previous year, this was due to actively controlling the use of central heating. The Board received a highly commended award in the OPW Optimising Power at Work Regional Awards 2013. The office was recently given a B3 BER rating which is an excellent rating as most buildings achieve a C or D rating,
- Advising staff in each of the locations to turn off lighting and office machinery when not in use.
- Minor adjustments to air conditioning levels in ICT server rooms.

Actions planned for 2014

The Board will continue to concentrate on controlling and reducing consumption in offices in 2014, as well as maintaining progress in offices where decreased consumption was recorded. The Board has been proactive in recent years in introducing measures to ensure that all PCs are automatically turned off at night and at weekends. All staff will be advised to turn off lights when the office is not in use. All machines, photocopiers, printers, PCs will be turned off (rather than left on standby) when not in use, particularly at evenings and weekends. Minor adjustments to heating and air conditioning controls will be made where possible, to reduce energy consumption.

Appendix 3

List of Law Centres

Full Time Law Centres

LAW CENTRE	MANAGING SOLICITOR
<p>CAVAN Newcourt Shopping Centre, Church Street, Cavan Tel: (049) 433 1110 Fax: (049) 433 1304</p>	<p>Patricia O'Reilly</p>
<p>CLARE Unit 6A, Merchant's Square, Ennis, Co Clare Tel: (065) 682 1929 Fax: (065) 682 1939</p>	<p>Mary Cuffe</p>
<p>CORK North Quay House, Popes Quay, Cork Tel: (021) 455 1686 Fax: (021) 455 1690 Fifth Floor, Irish Life Building, 1A South Mall, Cork Tel: (021) 427 5998 Fax: (021) 427 6927</p>	<p>Betty Dineen Deirdre Kissane</p>
<p>DONEGAL Unit B9, Letterkenny Town Centre, Justice Walsh Road, Letterkenny, Co Donegal Tel: (074) 912 6177 Fax: (074) 912 6086</p>	<p>Ray Finucane</p>
<p>DUBLIN 45 Lower Gardiner Street, Dublin 1 Tel: (01) 874 5440 Fax: (01) 874 6896</p>	<p>Shane Dooley</p>
<p>1st Floor, Civic Centre, South Dublin County Council, Ninth Lock Road, Clondalkin, Dublin 22. Tel: (01) 457 6011 Fax: (01) 457 6007</p>	<p>Tom Nally</p>

LAW CENTRE	MANAGING SOLICITOR
Village Green, Tallaght, Dublin 24 Tel: (01) 451 1519 Fax: (01) 451 7989	Pauline Corcoran
44/49 Main Street, Finglas, Dublin 11 Tel: (01) 864 0314 Fax: (01) 864 0362	Anke Hartas
48/49 North Brunswick Street, Georges Lane, Dublin 7 Tel: (01) 646 9700 Fax: (01) 646 9799	Gráinne Brophy
Unit 6-8, Blanchardstown Business Centre, Clonsilla Road, Blanchardstown, Dublin 15 Tel: (01) 820 0455 Fax: (01) 820 0450	Joan Crawford
Medical Negligence Unit Montague Court, 7-11 Montague St Dublin 2 Tel: (01) 477 6208 Fax: (01) 477 6241	Margaret O'Shea-Grewcock
Personal Injuries Unit 48/49 North Brunswick Street, George's Lane, Dublin 7 Tel: (01) 646 9740 Fax: (01) 646 975	Catherine Martin
Dolphin House office, 3 rd Floor Dolphin House, East Essex Street, Dublin 2 Tel: (01) 675 5566/(01) 675 5565 Fax: (01) 764 5116	Garrett Searson

LAW CENTRE	MANAGING SOLICITOR
<p>GALWAY</p> <p>9 St. Francis Street, Galway Tel: (091) 561650 Fax: (091) 563825</p> <p>Seville House, New Dock Street, Galway Tel: (091) 562480 Fax: (091) 562599</p>	<p>Mary Griffin</p> <p>Cormac Faherty</p>
<p>KERRY</p> <p>1 Day Place, Tralee, Co Kerry Tel: (066) 712 6900 Fax: (066) 712 3631</p>	<p>Carol Anne Coolican</p>
<p>KILDARE</p> <p>Canning Place, Newbridge, Co Kildare Tel: (045) 435777 Fax: (045) 435766</p>	<p>Edel Poole</p>
<p>KILKENNY</p> <p>Unit A, 1st Floor, Smithlands Centre, Loughboy, Kilkenny Tel: (056) 776 1611 Fax: (056) 776 1562</p>	<p>Niall Murphy</p>
<p>LAOIS</p> <p>Unit 6A, Bridge Street, Portlaoise, Co Laois Tel: (057) 866 1366 Fax: (057) 866 1362</p>	<p>Katie Gilhooly</p>
<p>LIMERICK</p> <p>Unit F, Lock Quay, Limerick Tel: (061) 314599 Fax: (061) 318330</p>	<p>Fergal Rooney</p>
<p>LONGFORD</p> <p>Credit Union Courtyard, 50A Main Street, Longford Tel: (043) 334 7590 Fax: (043) 334 7594</p>	<p>Edel Hamilton</p>

LAW CENTRE	MANAGING SOLICITOR
<p>LOUTH</p> <p>Condil House, Roden Place, Dundalk, Co Louth Tel: (042) 933 0448 Fax: (042) 933 0991</p>	<p>Deirdre McMichael</p>
<p>MAYO</p> <p>Humbert Mall, Main Street, Castlebar, Co Mayo Tel: (094) 902 4334 Fax: (094) 902 3721</p>	<p>Thomas O' Mahony</p>
<p>MEATH</p> <p>Kennedy Road, Navan, Co Meath Tel: (046) 907 2515 Fax: (046) 907 2519</p>	<p>Mary Pat Ahern</p>
<p>MONAGHAN</p> <p>Alma House, The Diamond, Monaghan Tel: (047) 84888 Fax: (047) 84879</p>	<p>Stephanie Coggans</p>
<p>OFFALY</p> <p>Harbour Street, Tullamore Tel: (057) 935 1177 Fax: (057) 935 1544</p>	<p>Deirdre O'Connor</p>
<p>SLIGO</p> <p>Bridgewater House, Rockwood Parade, Sligo Tel: (071) 916 1670 Fax: (071) 916 1681</p>	<p>Brendan Hoey</p>
<p>TIPPERARY</p> <p>Friars Court, Abbey Street, Nenagh, Co Tipperary Tel: (067) 34181 Fax: (067) 34083</p>	<p>Catherine Ryan</p>
<p>WATERFORD</p> <p>Canada House, Canada Street, Waterford Tel: (051) 855814 Fax: (051) 871237</p>	<p>Aidan Lynch</p>

LAW CENTRE	MANAGING SOLICITOR
<p>WESTMEATH</p> <p>Paynes Lane, Irishtown, Athlone, Co Westmeath</p> <p>Tel: (090) 647 4694 Fax: (090) 647 2160</p>	<p>Phil O'Laoide</p>
<p>WEXFORD</p> <p>Unit 8, Redmond Square, Wexford</p> <p>Tel: (053) 912 2622 Fax: (053)912 4927</p>	<p>Niamh Murran</p>
<p>WICKLOW</p> <p>Floor 3, Block D, Civic Offices, Main Street, Bray, Co. Wicklow</p> <p>Tel: (01) 2022644 Fax: (01) 2022667</p>	<p>Barbara Smyth</p>
<p>REFUGEE LEGAL SERVICE</p> <p>48/49 North Brunswick Street, George's Lane, Dublin 7</p> <p>Tel: (01) 646 9600 Fax: (01) 671 0200</p>	<p>Gráinne Brophy</p>

PART TIME LAW CENTRES Location and telephone	OPEN	LAW CENTRE
CARLOW St. Catherine's Citizens Information Bureau, St. Joseph's Road, Carlow Tel: (059) 913 8700	Twice a month	Kilkenny
CORK Citizens Information Centre, Wolf Tone Square, Bantry Tel: (021) 455 1686	As required	Cork (Popes Quay)
DONEGAL The Courthouse, Donegal Town Tel: (074) 912 6177	Once a month	Letterkenny
KERRY Arbutus Hotel, 52 High Street, Killarney Tel: (066) 712 6900	By appointment	Tralee
LEITRIM The Health Centre, Leitrim Road, Carrick-on-Shannon Tel: (043) 47590	Once a month	Longford
LOUTH Drogheda Community Services Centre, Scarlett Crescent, Drogheda Tel: (047) 84888/84879	By appointment	Monaghan

PART TIME LAW CENTRES Location and telephone	OPEN	LAW CENTRE
<p>MAYO</p> <p>The Pastoral Centre (Cathedral Grounds) Ballina, Co. Mayo Tel: (094) 902 4334</p> <p>Health Centre, Knock Road, Ballyhaunis Tel: (094) 902 4334</p>	<p>Once a month</p> <p>Fourth Tuesday of every month</p>	<p>Castlebar</p> <p>Castlebar</p>
<p>ROSCOMMON</p> <p>Citizens Information Centre, 7 Elphin Street, Boyle Tel: (071) 916 1670</p>	<p>Once every 2 months</p>	<p>Sligo</p>
<p>TIPPERARY</p> <p>Thurles Community Social Services, Rossa Street, Thurles Tel: (0504) 22169</p> <p>Citizens Information Centre, 14 Wellington Street, Clonmel Tel: (052) 22267</p>	<p>Second Tuesday of every month</p> <p>Four times a month</p>	<p>Nenagh</p> <p>Nenagh</p>
<p>WESTMEATH</p> <p>Unit 11, Enterprise Centre, Bishopgate Street, Mullingar Tel: (090) 647 4694</p>	<p>Once a month</p>	<p>Athlone</p>

Please note that the dates and times that the part time law centres are open may change depending on demand for the service. Please use the contact numbers above to find out when a law centre is open.

Appendix 4

List of Family Mediation Service Offices

Full Time Offices

FMS CENTRE	OPENING HOURS
<p>Dublin</p> <p>Blanchardstown West End House, West End Business Park, Snugborough Road Extension, Blanchardstown, Dublin 15. Phone: (01) 811 8650</p>	<p>Monday to Friday 9am - 5pm</p>
<p>Dolphin House Family Mediation Service, 4th Floor, Dolphin House, Dublin 2. Phone: (01) 672 5886</p>	<p>Monday to Friday 9.30am - 4.30pm.</p>
<p>Raheny Skillings House, 1st Floor offices, Raheny Shopping Centre, Howth Rd, Dublin 5. Phone: (01) 851 0730</p>	<p>Monday to Friday 9am - 5pm.</p>
<p>Ormond Quay 9 Lower Ormond Quay, Dublin 1, Phone: (01) 874 7446</p>	<p>Monday to Friday 9am - 5pm.</p>
<p>Tallaght The Rere, Tallaght Social Services Centre, The Square, Tallaght, Dublin 24. Phone: (01) 414 5180</p>	<p>Monday to Friday 9am - 5pm.</p>
<p>Cork 3rd & 4th Floor, Hibernian House, 80A South Mall, Cork. Phone: (021) 425 2200</p>	<p>Monday to Friday, 9am - 5pm</p>

FMS CENTRE	OPENING HOURS
<p>Galway 3rd Floor, Merchant's Square, New Dock Street, Galway. Phone: (091) 509730</p>	<p>Monday to Friday, 9am – 5pm</p>
<p>Limerick 3rd Floor, Riverpoint, Lower Mallow Street, Limerick. Phone: (061) 214310</p>	<p>Monday to Friday, 9am – 5pm</p>

FMS CENTRE Part Time Offices	OPENING HOURS
<p>Donegal 3rd Floor, Riverfront House, Pearse Rd, Letterkenny, Co Donegal. Phone: (074) 910 2240</p>	<p>Monday, Tuesday & Wednesday 9am -1pm, 2pm - 5pm</p>
<p>Kerry Unit 2, Market Place, Maine Street, Tralee, Co. Kerry. Phone: (066) 718 6100</p>	<p>Monday & Tuesday 9am - 1pm, 2pm - 5pm. Wednesday 9am - 12.30pm.</p>
<p>Laois Level 2, Grattan House, Grattan House Business Centre, Portlaoise, Co Laois. Phone: (057) 869 5730</p>	<p>Tuesday and Wednesday 9am - 1pm, 2pm - 5pm. Thursday 9am - 12.30pm.</p>
<p>Louth 10 Seatown, Dundalk, Co. Louth Phone: (042) 935 9410</p>	<p>Tuesday & Thursday 9.30am - 1pm, 2pm - 5.30pm. Wednesday 9am - 12.30pm.</p>

FMS CENTRE Part Time Offices	OPENING HOURS
<p>Mayo c/o Family Centre, Chapel St, Castlebar, Co. Mayo. Phone: (094) 903 5120</p>	<p>Thursday & Friday 9am - 1pm, 2pm - 5pm. Wednesday 9am - 12.30pm.</p>
<p>Sligo Level 6, Quayside Shopping Centre, Wine Street, Sligo. Phone: (071) 915 4260</p>	<p>Monday & Tuesday 9am - 1pm, 2pm - 5pm. Wednesday 9am - 12.30pm</p>
<p>Waterford 13B Wallace House, Maritana Gate, Canada St, Waterford. Phone: (051) 860460</p>	<p>Monday & Tuesday 9am - 1pm, 2pm - 5pm. Wednesday 9am - 12.30pm.</p>
<p>Westmeath Suite 10, 1st Floor, Inish Carraig Business Centre, Golden Island, Athlone, Co. Westmeath. Phone: (0906) 420970</p>	<p>Monday & Tuesday 9am - 1pm, 2pm - 5pm. Wednesday 9am - 12.30pm</p>
<p>Wexford 32 Key West, Custom House Quay, Wexford. Phone: (053) 916 3050</p>	<p>Tuesday, Wednesday & Friday 9am - 5pm</p>