

Press Release – Legal Aid Board 30th Anniversary Conference.

The Legal Aid Board today hosted a Conference in the Law Society of Ireland's premises in Blackhall Place, Dublin to mark the 30th anniversary of the establishment of the organisation. The theme of the Conference was "Access to Justice and Legal Aid: Learning from the Past, Looking to the Future." The Conference was addressed by a number of high profile speakers on various aspects of civil law in Ireland and abroad. Speakers included the President Mary McAleese, the Minister for Justice and Law Reform, Mr. Dermot Ahern T.D., who formally opened the Conference, and the Hon. Mr. Justice John L. Murray, Chief Justice. A full list of speakers is set out in the attached conference programme. Brief biographical details of each speaker are also attached along with a background note on the purpose and function of the Legal Aid Board.

The Minister for Justice and Law Reform, Mr Dermot Ahern T.D. commended the Board for its work over the past 30 years and announced that he would shortly be bringing proposals to Government to reform the system of criminal legal aid and to transfer responsibility for its administration to the Legal Aid Board. The Minister said he considered it appropriate in the current economic climate, with pressure on the public finances, that the system of criminal legal aid should be reformed with a view to controlling expenditure in this area. He expressed confidence in the Legal Aid Board's capacity to take on this important new area of work and he acknowledged that the Board would need to be appropriately resourced for the task,

The Chief Justice, Mr John L. Murray congratulated the Board for its sterling work over the past 30 years in providing access to justice for citizens who would not otherwise be able to afford legal remedies to their civil law problems. He also highlighted the need to consider more appropriate alternatives to litigation as a means of resolving civil disputes. He indicated that recent legal developments in relation to the mediating of disputes as an alternative to litigation before the courts should be given greater emphasis in the future. He acknowledged that current policy in this area was somewhat underdeveloped and uncoordinated and would benefit from a more strategic approach and a change in the litigation culture that governs the legal profession.

The President, Mrs Mary McAleese expressed her appreciation for the valuable work performed by the Board during the course of its short history. She acknowledged the role of the Board in providing access to justice that enabled citizens with legal problems to address their difficulties in an appropriate manner. She also took up the theme of alternative dispute resolution mechanisms as a means of resolving legal issues in a more humane and less impersonal manner that would ease the trauma sometimes experienced by the parties to a family law dispute. The President pointed out that while the Board faced huge future challenges due to the economic situation and the difficulties this cause for the public finances she was

confident that the organisation would rise to the challenge in the best spirit of public service.

The Legal Aid Board's Chairperson, Ms Anne Colley spoke at the Conference about the theme of "Access to Justice" and the role of the Legal Aid Board while Dr. Maurice Hayes and Ms. Patricia Rickard Clarke, of the Law Reform Commission, also address delegates about different aspects of the same theme - "Access to Justice".

There was a significant international dimension to the Conference with two presentations from overseas speakers: Mr Colin Lancaster, Director of Policy and Development, of the Scottish Legal Aid Board outlined the similarities and dissimilarities between the Scottish and Irish civil legal aid systems. He also suggested some potential policy and operational issues that might be given consideration in Ireland when charting the future direction of civil legal aid services in this jurisdiction.

Ms. Maja Groff from the Hague Convention on Private International Law addressed the Conference about the Convention and its interaction with the new EU Maintenance Regulation. Her presentation served to demonstrate the increasing internationalisation of civil legal aid with EU and other transnational obligations which are having an increasing impact on Irish civil law matters.

The Board's Director of Legal Aid, Mr Frank Brady reflected on the achievements of the Board in its 30 year history and outlined the significant challenges for the immediate future. In common with other public service organisations the Board will have to adapt and change in order to continue to deliver civil legal aid services that both meet demands for services of an appropriate scope and quality while also making the most efficient uses of scarce resources.

The Conference concluded with a presentation from Mr Fergus Finlay, Chief Executive of Barnardo's. He spoke about the impact of the law on children and its implications for the Board and other bodies involved in childcare issues.

Ends. 15th September 2010

For further enquiries contact Colm O' Connor, at 087 6395037 or 066947 1022.

Background Note on Purpose and Function of the Legal Aid Board.

The principal function of the Legal Aid Board (LAB) is to facilitate access to legal aid and advice in civil cases to persons of limited means. Applicants for legal services have to satisfy a test of financial eligibility and a merits test and are liable to pay certain contributions based on their means.

The LAB was established under the Civil Legal Aid Act 1995 but prior to this legislation the Board had been in existence on a non-statutory footing since 1980. The LAB's services are provided through a network of thirty three full-time and twelve part time law centres including the Refugee Legal Service (RLS) and a dedicated Medical Negligence Unit. This network is complemented by private practitioner panels for certain District and Circuit Court family law cases. Solicitors on these panels are paid on a fee per case basis where the Board does not have the capacity to meet demand for services within a reasonable timeframe. The majority of cases handled by the LAB are family law cases.

The Board of the LAB is appointed by the Minister for Justice and Law Reform and comprises a chairperson and 12 ordinary members. The current Board came into office in December 2006 and its chairperson is Ms. Anne Colley.

The Oireachtas funding to the Board in **2010** is **€32,370,000** (LAB €24,225,000, RLS €8,145,000). In 2009, the Board provided services to approximately 22,500 persons through its law centres, including the RLS. In 2009, the **District Court** scheme provided services in 3,921 cases and under the **Circuit Court** scheme the Board provided services in 91 cases.

Since mid 2006, demand for the Board's services has increased **by 63%** in the law centre network. In the first 6 months of the current year demand for services is **20% ahead of the comparable period for 2009**.

The Board is required under Section 5(1) of the Civil Legal Aid Act, 1995 to provide services within the resources available to it. The surge in demand for services over the last two years in particular has placed the organisation under considerable pressure at a time when the resources available to it are restricted, in common with public service organisations generally.

The Board operates on the basis that waiting times for services are kept within a maximum of 4 months. The commitment to achieving this objective has come under pressure over the last two years due to the moratorium on the filling of positions and the significantly increased demand for services. Notwithstanding the challenges these two inter-related issues have posed for the Board, the organisation has largely succeeded in broadly maintaining waiting lists at or below 4 months in most locations.

This has been achieved through a number of ongoing initiatives designed to make the most effective use of the resources available. The Board has also been granted a limited exemption from the moratorium on the filling of positions in the public service which has enabled the organisation to recruit a

limited number of front-line staff on a temporary basis, within existing resources, to respond to acute service delivery/staffing situations in particular locations.

While the Board has reduced its staffing levels in accordance with government policy on controlling payroll costs, the reductions in staffing to date have been largely in support areas and in the Refugee Legal Service (RLS) where demand for services has been falling. The Board has, as far as is practicable, maintained its front-line services through a combination of redeployment of resources from lower priority activities and changes to the manner in which services are delivered in order to maximise the throughput of cases consistent with the resources available.

New Service Delivery Initiatives.

Initiatives introduced by the Board to address the ongoing surge in demand for its services, include :

- the introduction of an advice only service;
- revised arrangements for dealing with childcare cases in Dublin; and
- the development of a new “Model Law Centre” in Dublin. This latter initiative involves the more intensive use of paralegal and other support staff, so as to improve the throughput of cases consistent with the management of risk and the more effective use of available resources.

Other initiatives underway in the Board to improve the efficiency of service delivery and to maximise the impact of available resources include:

- the development of proposals for the integration of RLS services into the law centre network in Cork, Galway and Dublin where RLS offices are located;
- a greater emphasis on alternative dispute resolution mechanisms for family law matters;
- the development of a new ICT platform to improve the efficiency of services by embracing a new legal case management system that also addresses requirements to better manage risk and organisational performance. The tendering process to select a software provider for the new system is at an advanced stage and it is envisaged that it will be operational by early 2012.

All of the above initiatives are being managed within the Board’s existing resources and in accordance with the requirements of the Public Service Agreement 2010 – 2014 (the Croke Park Agreement”) which sets out the general principles under which public services are to be delivered in a more cost-effective and efficient manner into the future.

The limited exemption from the moratorium on the filling of positions granted to the Board has provided the organisation with the flexibility required to address service delivery issues in the short-term, pending the roll-out of the new ICT infrastructure referred to above in 2012, which will enable further efficiencies in the use of resources and the delivery of services to be realised.

Value for Money Audit VFM Audit.

The Board is currently the subject of a value for money audit that is being conducted jointly by the Department and the Department of Finance. It is envisaged that a Report on the outcome of the audit will be completed by the end of 2010. The report will inform the Board's efforts to improve the efficiency and effectiveness of its operations over the medium-term.

—



LEGAL AID BOARD

30th Anniversary Conference

Biographical Details

President of Ireland Mary McAleese

On 11th November, 1997, Mary McAleese was inaugurated as the eighth President of Ireland. Mary McAleese was re-elected on Friday 1st October 2004 being the only validly-nominated candidate. She is a barrister and former Professor of Law. Born on June 27th 1951 in Belfast, she is the first President to come from Northern Ireland. She is married, since 1976, to Dr. Martin McAleese, an accountant and dentist. They have three children, Emma, born 1982 and twins Justin and SaraMai, born 1985.

The eldest of nine children, President McAleese grew up in Northern Ireland through the violent times that have come to be known as 'The Troubles'. Her family was one of many adversely affected by the conflict. She graduated in Law from the Queen's University of Belfast in 1973 and was called to the Northern Ireland Bar in 1974. In 1975, she was appointed Reid Professor of Criminal Law, Criminology and Penology at Trinity College Dublin and in 1987, she returned to her Alma Mater, Queen's, to become Director of the Institute of Professional Legal Studies. In 1994, she became the first female Pro-Vice Chancellor of the Queen's University of Belfast.

President McAleese is an experienced broadcaster, having worked as a current affairs journalist and presenter in radio and television with Radio Telefís Éireann. She has a longstanding interest in many issues concerned with justice, equality, social inclusion, anti-sectarianism and reconciliation. The theme of her Presidency is 'Building Bridges'

Among the other appointments she has held are;

- Director of Channel 4 Television.
- Director, Northern Ireland Electricity
- Delegate to the 1995 White House Conference on Trade and Investment in Ireland and to the follow up Pittsburg Conference in 1996.
- Member of the Catholic Church delegation in 1996 to the North Commission on Contentious Parades.
- Member of the Catholic Church Episcopal Delegation to the New Ireland Forum in 1984. Founder member of the Irish Commission for Prisoners Overseas.

Minister Dermot Ahern, T.D.

Mr. Dermot Ahern, T.D. was born in Drogheda, Co. Louth in 1955. He is married to Maeve Coleman and has two daughters. He attended Marist College, Dundalk, University College Dublin and the Incorporated Law Society of Ireland, from which he qualified as a solicitor.

His career in national politics started when he was first elected to the Dáil in February 1987.

During this time Mr. Ahern has served as:

Assistant Government Whip 1988 – 1991;
Minister of State at the Department of the Taoiseach with special responsibility as Government Chief Whip and Minister of State at the Department of Defence, November 1991 – February 1992;
Minister for Social, Community and Family Affairs, June 1997 to June 2002;
Minister for Communications, Marine and Natural Resources, June 2002 to September 2004;
Minister for Foreign Affairs, September 2004 to May 2008, and
Minister for Justice, Equality & Law Reform, May 2008 to date.

Mr. Ahern has also served on several Oireachtas committees, including:

The Oireachtas Joint Committee on Commercial State Sponsored Bodies, 1987;
Special Oireachtas Committees on Judicial Separation and Child Care, Foreign Adoptions and the Solicitors' Bill;
The Dáil Select Committee on Legislation and Security; and
The British-Irish Parliamentary Body from 1991-1997 (co-chairman 1993-1995).
Mr. Ahern also served on Louth County Council from 1979-1991.

The Hon. Mr. Justice John L. Murray Chief Justice of Ireland

Mr. Justice Murray was born in 1943, Limerick: married (1969) to Gabrielle Walsh. In 1967 he was called to the Bar of Ireland. In 1981 he was called to the Inner Bar. As a member of the Irish Bar he enjoyed a substantial practice in civil and constitutional law matters, appeared in major public Tribunals of Enquiry, and his practice extended to the supranational level. He was counsel in cases before the Court of Justice of the European Communities (Luxembourg), the European Commission on Human Rights and the European Court of Human Rights (Strasbourg). He was Attorney General of Ireland from August to December 1982 and again from 1987 to 1991.

From 1991 to 1999 he was a Judge of the Court of Justice of the European Communities. From 1997 to 2000 he was a visiting Professor of Law at the Université de Louvain. From 2000 to 2003 he was chairperson of the Anti-Fraud Committee of the European Central Bank. He is also a former Chairman of the Ad-hoc Ethical Committee of the European Communities.

In 1999 he was appointed a Judge of the Supreme Court. He was appointed Chief Justice of Ireland in July 2004.

The Chief Justice is also chairman of the Courts Service Board and the Judicial Appointments Advisory Board.

Dr. Moling Ryan

Dr. Ryan has been Chief Executive of the Irish Legal Aid Board since November 2004. His previous work positions included Director of Human Resources and Change Management in the Courts Service, head of Heritage Policy in the Department of Arts and Heritage and a number of years in management training and consultancy mainly in public service organisations.

Dr. Ryan was called to the Bar in 1979, has a Masters degree in Management (Organisational Behaviour) and completed his Doctorate in Governance through Queens University, Belfast in 2008. His final doctoral dissertation addressed the issue of access to justice and unmet legal needs in the Republic of Ireland.

Ms. Anne Colley

Ms. Anne Colley was appointed to the Legal Aid Board in October 2001, and was appointed as Chairperson of the Board in September 2003. She was re-appointed Chairperson of the new board in December 2006. She qualified as a solicitor in 1974 and is a consultant solicitor in the firm of Dillon Solicitors in Dublin, following the merger of her own firm with that firm in 2004, and she also served as a member of the Council of the Law Society of Ireland for a number of years. She qualified as a commercial mediator in the early part of 2009.

A former Progressive Democrat T.D., she was a member of the first board of the Private Residential Tenancies Board, with which she continues an association as an appeal tribunal member. She is a former member of the Government Commission on the Private Rented Sector and a former Chairperson of the Refugee Agency.

Anne also chaired the Working Group on Domestic Partnership, established by the Minister for Justice Equality & Law Reform, which completed its report in 2006, and led to the recent passing of the Civil Partnership Act 2010 by the Oireachtas.

Ms. Patricia Rickard-Clarke

Ms. Patricia Rickard-Clarke is a Commissioner with the Law Reform Commission. Formerly, she was a partner in McCann FitzGerald Solicitors specialising in taxation and trusts. She is Chair of the Law Society's Mental Health and Capacity Task Force. She is a member of STEP (Society of Trust and Estate Practitioners) and a member of NUI Maynooth Law Council. Earlier this year she was appointed by the Minister for Finance to the Expert Group on Mortgage Arrears and Personal Debt. She is a member of the HSE's National Financial Abuse of Older People Working Group.

Dr. Maurice Hayes

A native of County Down, Maurice Hayes is a graduate in Literature and in Law of Queen's University, Belfast. He has spent most of his life working in the public service in Northern Ireland, variously as Town Clerk, as Head of Human Resources, Northern Ireland Civil Service, Permanent Secretary, Department of Health and Social Services, and Northern Ireland Ombudsman. He was first Chairman of the Northern Ireland Community Relations Commission and a member of the Human Rights Commission. He has acted as Electoral Boundary Commissioner, as Senior Advisor to the Chair of the Constitutional Convention, and as Chair of a body to review acute hospital services.

Dr Hayes served as a member of Lord Patten's Commission to reform policing in Northern Ireland, and authored the report which led to the establishment of the office of Police Ombudsman. He has also advised and produced reports on management issues in An Garda Síochána, leading to the appointment of a Garda Ombudsman Commission and a Garda Inspectorate.

He is a member of the Royal Irish Academy, a Fellow of the Salzburg Seminar, and holds honorary Doctorates from four Irish and one American University.

Maurice Hayes served for ten years as an Independent member of Seanad Éireann, on the nomination of the Taoiseach, Bertie Ahern, from 1997-2007 and from 2001-2009 was Chair of the Irish National Forum on Europe.

He has been, at various times, Governor of the Linenhall Library, Member of Senate of Queen's University, Chairman of the Ireland Funds and member of the Ulster Countryside Committee.

He is married with five children. He has published three books of memoirs as well as numerous articles and papers on conflict resolution and other aspects of social policy. He is a regular political columnist and book reviewer in the Irish Independent and the Belfast Telegraph.

Mr. Frank Brady

Mr. Frank Brady, Director of Legal Aid, has worked with the Legal Aid Board for 25 years in various positions and was one of the initial staff appointed to the Board when it was set up in 1980. During his career, he has worked in the Departments of Justice and Foreign Affairs; the Houses of the Oireachtas, and as a special adviser to the Minister for Social Welfare. Mr. Brady was called to the Bar in 1991.

Mr. Lindsay Montgomery CBE

Lindsay Montgomery is Chief Executive of the Scottish Legal Aid Board. His professional background is in public finance, accountancy and audit.

He has worked in a number of Government organisations including HM Treasury, Export Credit Guarantee Department, Scottish Natural Heritage and the Scottish Office.

He is a member of a number of groups involved in the Scottish justice system including the National Criminal Justice Board, and a member of the Policy Group

advising the Review of the Civil Courts in Scotland and the Debt Action Forum. Outside the justice arena he is Deputy Chairman of Scotland's Charity Regulator (OSCR), Chairman of the Non Departmental Public Bodies Chief Executives' Forum, Chairman of the Central Government Centre for Procurement Excellence Supervisory Board, a member of the Scottish Procurement Reform Board and a member of the Scottish Government Remuneration Group.

He was awarded the CBE in the June 2009 Queen's birthday honours list.

Ms. Maja Groff

Ms. Maja Groff is a Legal Officer at the Permanent Bureau of the Hague Conference on Private International Law. She is the Legal Officer responsible for the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (the "Hague Child Support Convention"), the Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations (the "Hague Child Support Protocol"), the Hague Convention of 13 January 2000 on the International Protection of Adults (the "Hague Adults' Convention"), the International Hague Network of Judges to support direct judicial communication and cooperation in cross-border child protection matters, a number of IT solutions to support Hague Conference children's Conventions and the development of a potential new Convention concerning cross-border access to foreign legal information.

Ms. Groff is an Attorney, admitted to the New York Bar, and completed her legal studies at McGill University, Montréal, earning a joint Bachelor of Laws (common law) and Bachelor in Civil Law. She additionally holds a Master of Science degree from Oxford University and a Bachelor of Arts Degree in comparative oral literature from Harvard University. She is an active Member of the International Law Committee, New York City Bar Association (2009-2012), and has worked in private legal practice in New York City. Ms. Groff was born and raised in British Columbia, Canada.

Mr. Fergus Finlay Chief Executive, Barnados

Since June 2005, Mr. Fergus Finlay has been Chief Executive of Barnados, Ireland's largest children's charity. For twenty years prior to that he was employed as Senior Adviser to the Labour Party, serving in three Governments and working for the Party in opposition. He was one of the drafters of the Downing Street Declaration and was centrally involved in the election of President Mary Robinson in 1990, together with other political events of the period.

Mr. Finlay is the author of three best-selling books. He has founded a number of organisations that campaign for the rights of people with disabilities, and also served a four year term as Chairperson of Special Olympics Ireland. He is currently Chair of Volunteering Ireland. He broadcasts regularly on radio and television, and contributes a weekly column to the Irish Examiner.



Legal Aid Board – 30th Anniversary Conference

Access to Justice and Legal Aid: Learning from the Past,
Looking to the Future

Wednesday, 15th September 2010

**The President's Hall
Law Society
Blackhall Place
Dublin 7.**

Conference Programme

8.00 a.m. – 9.00 a.m.

Registration and tea / coffee on arrival.

9.10 a.m.

Dr. Moling Ryan, Chief Executive, Legal Aid Board (Conference Chair)
– Welcoming remarks.

9.15 a.m. – 9.30 a.m.

Opening address by Mr. Dermot Ahern, T.D., Minister for Justice and Law Reform.

9.30 a.m. – 9.45 a.m.

Address by the Hon. Mr. Justice John L. Murray, Chief Justice.

9.45 a.m. – 10.20 a.m.

Ms. Anne Colley, Chairperson, Legal Aid Board,
Access to Justice and the role of the Legal Aid Board.

10.20 a.m. – 10.50 a.m.

Coffee Break.

10.50 a.m. – 11.25 a.m.

Ms. Patricia Rickard-Clarke, Commissioner, Law Reform Commission,
Access to Justice – Law Reform Issues.

11.25 a.m. – 11.40 a.m.

Q&A Session.

11.45 a.m. – 12.00 p.m.

Address by **President of Ireland, Mary McAleese.**

12.00 p.m. - 12.15 p.m.

Break.

12.15 p.m. – 1.00 p.m.

Dr. Maurice Hayes,

Access to Justice. Access to what?

1.00 p.m. – 2.00 p.m.

Buffet Lunch.

2.00 p.m. – 2.30 p.m.

Mr. Frank Brady, Director of Legal Aid, Legal Aid Board,

Legal Aid Board - Achievements and Challenges.

2.30 p.m. – 3.10 p.m.

Mr. Colin Lancaster, Director of Policy and Development, Scottish Legal Aid Board,

Overview of Scottish system and similarities / dissimilarities with Irish model.

3.10 p.m. – 3.20 p.m.

Break

3.20 p.m. – 3.50 p.m.

Ms. Maja Groff, Hague Conference on Private International Law,

Effective Access to Procedures - Hague Child Support Convention, 2007.

3.50 p.m. – 4.30 p.m.

Mr. Fergus Finlay, Chief Executive, Barnardos,

Can the justice system listen to children?

4.30 p.m. – 4.45 p.m.

Wrap up and close of Conference.