



**Community
Law & Mediation**

Annual Report 2019



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FOREWORD

2019 marked an important year for Community Law & Mediation (CLM). In addition to meeting a strong demand for our services, we launched our new Strategic Plan, which sets out the organisation's priorities to 2023, and we advocated for change on a number of issues which affect the individuals and families who use our services.

We were delighted to be joined by Chief Justice Frank Clarke to launch the Strategic Plan in March 2019. The Plan sets out a blueprint which will enable CLM to fulfil its mission – to provide people in our communities with expert legal, mediation, and education services they would not otherwise have access to and in doing so, to address underlying issues of injustice and exclusion.

Our first objective under the new Strategic Plan is to meet the unmet legal needs of, and to empower, the community through the provision of legal, mediation and education services.

In 2019, we advised on more than 3,118 issues through our services and some of the stories behind this figure are described in detail later in this Report. Many of the issues we dealt with were of an acute or emergency nature, particularly in the area of housing and homelessness. We also advocated for people who were experiencing discrimination in the workplace; people who could not access their basic social welfare entitlements; or whose children were being denied their right to education. These people would have suffered devastating consequences if CLM had not intervened to challenge unlawful practices.

Throughout the year, we worked to identify areas of unmet legal need and determine how best to meet that need. In this context, we were delighted to collaborate with the National Women's Council of Ireland to launch a new Employment Law Advice Clinic for Women in October.

The clinic, funded by the Irish Human Rights and Equality Commission, has been in high demand since it launched.

Our mediation service continued to assist families and neighbours in crisis and we recruited an additional 26 mediation volunteers last year to help strengthen and grow the service.

Through our community education programme, we delivered a series of Know your Rights, accredited, and in-house training courses as well as the Legal Eagles project for local schools in Coolock. We also produced an information guide on Social Housing Support.

Our second objective under the Strategic Plan is to address legal issues arising in our services through political and legal processes. Connecting our services with our law reform and campaign work ensures we are addressing the issues of greatest relevance to the community in a way which has maximum positive impact.

A highlight in 2019 was our presentation before the Joint Oireachtas Committee on Justice and Equality on the topic of Access to Justice. We outlined the limitations of the Civil Legal Aid Scheme which, for example, is excluded from providing legal representation in employment and equality claims before the Workplace Relations Commission and in social welfare appeals before the Social Welfare Appeals Office. We were delighted to present alongside the Mercy Law Resource Centre and Dr Gerry Whyte and we hope that this issue will be revisited by the Government in the coming months.

We also presented before the Joint Oireachtas Committee on Education and Skills in July, on the topic of Reduced Timetables in schools, and how this impacts students, particularly those from disadvantaged communities in Limerick.

Another highlight in 2019 was our participation in the Courting Disaster campaign, alongside ten other organisations. We called on the government to allocate the funding required to develop a dedicated Family Law Court at Hammond Lane in Smithfield in Dublin.

Our third and final objective under the Strategic Plan is to ensure that CLM has the people, systems, structures and resources to deliver on our strategic objectives. Indeed, we could not have carried out the work detailed in this Annual Report without the financial support of our funders, for which we are enormously grateful.

We would like to thank our legal and mediation volunteers and interns as well as the many barristers who represent our clients on a pro bono basis. Without the generous commitment of these volunteers, we would not be able to provide the service that we provide to our clients. Our thanks also to Arthur Cox, McCann Fitzgerald and A&L Goodbody for their support.

We would like to pay particular gratitude to Ciara Murray, Public Information Consultant, Michael Kinsley BL and Colin Smith BL for their assistance with the Casebase reports. We would also like to acknowledge the many guest speakers on our roundtables, Know your Rights talks and mediator CPD and Learning and Sharing sessions.

We would like to thank Dublin City Council North Central office, Professor Thomas Mohr and all at UCD Sutherland School of Law for supporting our Legal Eagles project in 2019. We would also like to thank the members of the Advisory Committees of CLM Limerick and the Wicklow Mediation Service for their generous time and commitment.

Finally, we must compliment and thank the staff of CLM and the members of the Board of Directors for their tireless dedication to and passion for the important work that we do.



Rose Wall

Rose Wall
CEO,
Community Law & Mediation



Paul Rogers

Paul Rogers
Chairperson,
Community Law & Mediation

VISION, MISSION, VALUES

VISION

To make our communities more just and inclusive by facilitating access to legal services for all.

MISSION

To provide people in our communities with expert legal, mediation, and education services they would not otherwise have access to and in doing so, to address underlying issues of injustice and exclusion while working for real change.

VALUES



Empowerment. We empower people to actively participate in society.



Impact. We ensure our work has positive impact on the communities and clients we serve.



Accessibility. Our services are accessible by all those who need them.



Community Engagement. Our services are driven by, and reflect, the needs of the community.



Partnership. We work in partnership and collaboration with others to achieve our strategic objectives.



Innovation. We believe that having the attitude and environment to adapt and innovate is core to our success.



Good Governance. We practice good governance and guarantee transparency and accountability in our systems and practices.



Expertise. We are proud of our professionalism and commitment to quality in everything we do.

WHAT WE DO

Set up in 1975 as a prototype Law Centre and campaign tool in the movement for civil legal aid, Community Law and Mediation (CLM) has been a pioneering organisation in the provision of community based legal and mediation services.

With the establishment of a second law centre in Limerick in 2012, the community CLM services has grown beyond the original catchment area of Coolock and includes anyone who, because of economic, social or other disadvantage, is unable to access legal or mediation services.

CLM works to empower individuals experiencing disadvantage through:

LEGAL ADVICE AND REPRESENTATION;

MEDIATION AND CONFLICT COACHING;

INFORMATION AND EDUCATION; AND

ADVOCATING FOR CHANGE.

STRATEGIC OBJECTIVE 1

To meet the unmet legal needs of, and to empower, the community through the provision of legal, mediation & education services.

STRATEGIC OBJECTIVE 2

To address legal issues arising in our services through political and legal processes.

STRATEGIC OBJECTIVE 3

To ensure that CLM has the people, systems, structures and resources to deliver on our strategic objectives.

THE YEAR IN NUMBERS

3,118

number of people assisted and/or legal issues advised on through our range of services: legal; mediation; and education

209

number of legal advice clinics held by CLM

703

number of participants on community education courses

363

disputes requiring help from CLM's Mediation Service

126

number of disputes that proceeded to full mediation or conflict coaching

26

number of new volunteer mediators recruited, making a total of 58 experienced and dedicated mediators

7

number of submissions to Government and other agencies, advocating for change

2

roundtables on: Women in the Workplace and; Difficulties Accessing Traveller Accommodation in Ireland

2019 HIGHLIGHTS

In March, Chief Justice Frank Clarke joined us to launch our Strategic Plan 2019-2023 and a new Information Guide on Social Housing Support.



Our Limerick Manager Caroline Keane was invited to present before the Joint Oireachtas Committee on Education & Skills in June, on the topic of Reduced Timetables in schools, and how this impacts students, particularly those from disadvantaged communities in Limerick.

Our Legal Eagles schools programme ran in Chanel College and Mercy College last year, each culminating in a 'mock court' competition in UCD's Sutherland School of Law. The project, funded by Dublin City Council, is aimed at transition year students and involves a series of classroom-based talks on how the Irish legal system works.





National Women's Council of Ireland
Comhairte Náisiúnta na mBan in Éirinn

New Free Employment Law Advice Clinic for Women

We were delighted to collaborate with the National Women's Council of Ireland to launch a new Employment Law Advice Clinic for Women in October. The clinic, funded by the Irish Human Rights and Equality Commission, has been in high demand since it launched.



We held a roundtable on Women in the Workplace in November. The roundtable was timed to coincide with the start of the new monthly clinic with the National Women's Council of Ireland and examined challenges for women in the workplace. Leading experts were invited to speak.



Our mediation service continued to grow last year. In May, we employed a Reflective Practice and Mediation Supervisor. We also embarked on a recruitment campaign for additional volunteer mediators. We now have a team of 58 experienced and dedicated volunteer mediators.



In September, John McDaid, CEO of the Legal Aid Board, gave a talk on the work of the Legal Aid Board. And our child law expert, solicitor Ruth Barry, was invited to speak at the Legal Aid Board's conference on family law.



We joined with 10 other organisations to call on the government to immediately allocate the funding required to develop a dedicated Family Law Court at Hammond Lane in Smithfield in Dublin. The Courting Disaster campaign highlighted the archaic conditions in which family law and childcare cases are currently being heard.



We were invited to present before the Joint Oireachtas Committee on Justice and Equality in December, on the topic of Access to Justice. We were delighted to present alongside the Mercy Law Resource Centre and Dr Gerry Whyte and we hope that this issue will be revisited in the coming months.

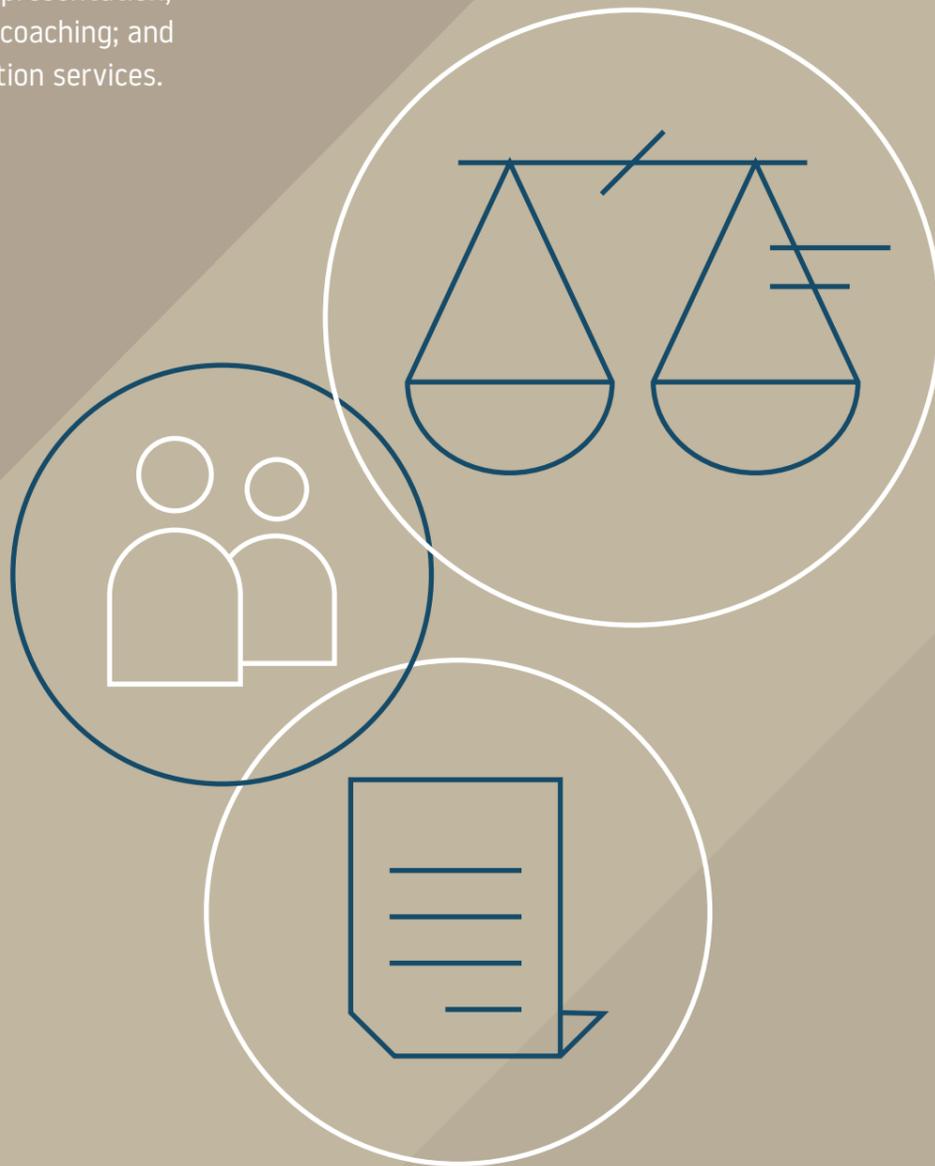


Advocating for change on Traveller Accommodation: In January, we convened a roundtable on the experiences of and difficulties accessing Traveller accommodation in Ireland. The roundtable was hosted by the School of Law at the University of Limerick and was attended by local Traveller groups and advocates and University of Limerick students.

STRATEGIC OBJECTIVE 1:

To meet the unmet legal needs of, and to empower, the community through the provision of legal, mediation & education services.

CLM's two community law centres, in Dublin and Limerick, assist more than 3,000 people each year through free legal advice and representation; mediation and conflict coaching; and information and education services.



LEGAL ADVICE, ADVOCACY & REPRESENTATION

► LEGAL ADVICE

CLM provides free legal advice on all areas of law through in-house clinics and on an outreach basis in collaboration with other advocacy organisations.

CLM Northside

CLM Northside, based in Coolock, runs a free legal advice clinic on all areas of law every Thursday evening, as well as issue-specific clinics in the areas of family, debt and employment law. It also partners with a number of advocacy organisations to provide legal advice on specific areas of law, on an outreach basis. This includes two housing law clinics with Blanchardstown Citizen's Information and Clondalkin Traveller Development Group; a social welfare law clinic with Meath Street Citizen's Information; an employment law clinic with Dublin City Centre Citizen's Information; and a legal advice clinic on issues affecting children and young people as part of the Children's Rights Alliance, Access to Justice Initiative. In October, in collaboration with the National Women's Council of Ireland, CLM Northside launched a new employment law advice clinic for women.

CLM Limerick

CLM Limerick is unique in that it is the only independent law centre outside of Dublin. It was established in late 2012 (with service delivery commencing in January 2013) in response to representations made by Limerick-based community representatives and activists, to address the very significant unmet legal need, primarily within the areas identified for regeneration.

CLM Limerick operates free legal advice clinics in each of the areas identified for regeneration in partnership with local community organisations, including St Mary's Alms

House; Our Lady of Lourdes Community Centre; Moyross LES Centre; Moyross Community Centre; and Tait House, Southill. It also operates a monthly advice clinic in the area of housing and homelessness, in partnership with Novas's Intensive Family Support Service.

► ADVOCACY & REPRESENTATION

CLM provides an advocacy service for individuals who need assistance in accessing their legal rights and entitlements. It also offers representation, including court and tribunal representation, in areas of law not catered for by the Civil Legal Aid Scheme. A particular emphasis is placed on public interest cases in the areas of debt, employment, equality, housing, social welfare and accessing services such as health and education.

Each law centre makes referrals as appropriate to CLM's Mediation Service and solicitors feed the issues they come across in their casework into the law reform, education and legal resource work of CLM.

In 2019, in Limerick, many of the issues we dealt with related to housing and homelessness and family law. The long length of stay for families in emergency accommodation and the conditions of emergency accommodation were also recurrent themes and we worked with families to try and improve their situation on a more sustainable basis. In Dublin, family and employment law issues dominated the demand for our services.

THE YEAR IN NUMBERS

CLM Northside

1,491

number of people assisted and/or legal issues advised on by CLM Northside

115

number of legal advice clinics held

THE MAIN AREAS IN WHICH LEGAL ADVICE WAS PROVIDED:

- ▶ 24% - Family Law
- ▶ 16% - Employment
- ▶ 11% - Debt
- ▶ 10% - Housing
- ▶ 7% - Wills/Probate

THE MAIN AREAS IN WHICH LEGAL ADVOCACY AND REPRESENTATION WERE PROVIDED:

- ▶ 39% - Housing
- ▶ 17% - Employment
- ▶ 13% - Equality

CLM Limerick

561

number of people assisted and/or legal issues advised on by CLM Limerick

94

number of legal advice clinics held

THE MAIN AREAS IN WHICH LEGAL ADVICE WAS PROVIDED:

- ▶ 26% - Family
- ▶ 22% - Housing
- ▶ 13% - Employment
- ▶ 8% - Homelessness
- ▶ 7% - Wills/Probate

THE MAIN AREAS IN WHICH LEGAL ADVOCACY AND REPRESENTATION WERE PROVIDED:

- ▶ 35% - Housing
- ▶ 30% - Homelessness
- ▶ 7% - Social Welfare

▶ CLIENT STORY

Access to Social Welfare

Background

Jane came to CLM Northside after her appeal to the Social Welfare Appeals Office had been refused. She had originally applied to the Department of Employment Affairs and Social Protection (DEASP) in 2018 for Supplementary Welfare Allowance and Child Benefit. She was refused the allowances by the DEASP because they felt that she did not meet the applicable residency requirements as she had not shown an intention to stay in Ireland.

Jane had only been living in Ireland for a period of three months, however she had taken numerous steps that showed her intention to remain in Ireland. She had sold possessions in her home country, separated from her husband, set up her children in schools in Ireland and applied for work to support her family. Her eldest child had been born in Ireland and was a citizen. She therefore felt she had grounds to appeal the decision. However, this appeal was also refused.

CLM's Input

Having examined Jane's case, we were of the strong opinion that she met the residency requirements for the allowances, i.e. the Habitual Residence Condition. We wrote to the Chief Appeals Officer on Jane's behalf and requested a final review of the previous refusals. Jane had clearly demonstrated an intention to remain in Ireland and we were able to show how these actions had been unduly minimised in the original DEASP decision. In doing so, the DEASP had misapplied the relevant legal test for habitual residence.

The Chief Appeals Officer ultimately agreed with CLM and the client was found to have been entitled to the allowances, which were backdated to the time of her initial application.

Impact of CLM's Input

At the time Jane was applying for the allowances, she was in very distressing circumstances, having to live in homeless accommodation with her children. She was not working, and the allowances would have provided her with a vital source of income and support. CLM was able to advocate on her behalf and ensure she had access to the supports to which she was entitled.

► CLIENT STORY

Access to Education

Background

CLM Northside was contacted by the parents of a child with autism who had been informed that their child would not be admitted to his school for the upcoming academic year. Their child had been attending the ASD Unit of a primary school since the age of six. The child had been refused a place on the grounds of the discharge policy of the ASD Unit. The school's policy was to discharge pupils once they reached the age of 12. The child would turn 13 before the start of the upcoming school year. There was no corresponding discharge policy in place in the mainstream school.

The parents had applied to more than 20 schools to secure a place for their child for the upcoming school year without success. They feared that their child would have no school place come September.

CLM's Input

We assisted the parents to submit a Section 29 Appeal to the Department of Education and Skills in respect of the school's decision. This is a procedure available to parents where their child is being refused a school place, placed on reduced school hours, being suspended from school or expelled. Parents can represent themselves in this process.

Where there is a discharge policy based on age in place for an ASD Unit but not in place for students in the mainstream part of the school, the policy may be discriminatory against children with disabilities. Such a policy could

be challenged under the Equal Status Acts before the Workplace Relations Commission. However, in the circumstances of this case, it was clear that should the Section 29 Appeal be unsuccessful, it may be necessary to judicially review the school's decision to refuse admission to the child. Given the lack of an alternative school for the child and the tight time frame, a decision of the Workplace Relations Commission could not be relied upon to ensure a school place for the upcoming academic year.

During the course of the Section 29 Appeal, the school withdrew their decision and the child was admitted for the academic year of 2019/2020. There was no longer need to consider a judicial review.

Impact of CLM's Input

This case highlighted yet another difficulty parents face when trying to secure education for children with disabilities. It appears that some schools have put in place a discharge policy based on age for ASD Units. However, a discharge policy excluding a child in an ASD Unit once they turn 12 or 13 years of age appears unfair and discriminatory, given that Department of Education and Skills Circulars to schools stipulate that the primary cycle is 8 years and many students do not start school until they are 5 or 6. Schools and parents deserve guidance and clarity on this issue from the Department of Education and Skills.

► CLIENT STORY

Access to Housing

Background

CLM Northside met Sarah at our Blanchardstown legal advice clinic in 2019. Sarah had moved to Ireland with her child in 2015. She had previously owned property in Croatia which was sold before moving to Ireland.

In August 2018 Sarah applied to Fingal County Council (FCC) for access to the housing list. At the time of her application, she was enrolled in a full-time education course which she was due to complete in September 2018. In October of that year, Sarah was notified that her application had been refused based on a failure to: (1) meet the criteria for European Economic Area (EEA) applicants (namely a requirement to prove 52 weeks of employment in the Republic of Ireland); and (2) provide sufficient information regarding how the proceeds of the sale of the property in Croatia were distributed.

Sarah wrote to FCC seeking clarification of the criteria applied to refuse her application. In November 2018, she appealed the decision.

CLM's input

We assisted Sarah in preparing a further letter to FCC detailing her financial situation, employment and education history. This letter highlighted that 52 weeks of employment was not the only method of establishing eligibility for admission to the housing list. We also assisted Sarah in the preparation of an affidavit setting out precisely how the proceeds of the sale of the Croatian property had been used. Further correspondence was exchanged between Sarah and FCC over the course of the following six months and Sarah was ultimately notified that her appeal had been successful and that she would be admitted to the Local Authority's Housing List.

Impact of CLM's input

With the assistance and support provided by CLM, Sarah's appeal was successful. The FCC re-examined Sarah's housing application and reversed its decision. This case highlights the importance of appealing the decisions of local housing authorities where it appears that the incorrect criteria or considerations have been applied.

► CLIENT STORY

Access to Education

Background

CLM Limerick provided legal advice to the parents of a child due to complete primary school in 2019. They had applied for a secondary school place for their child through the Limerick Area Post-Primary Schools Common Applications System. Thereafter they received a letter from the Limerick Education Centre informing them that their child had not been offered a place in any of the nine schools listed in their preference list. They received a separate rejection letter from each school. They were further informed that there were three schools with capacity to accept students and were advised to contact them. Two of the schools listed were 25 and 30 kilometres away from the family home respectively, the third school on the list was a school that the parents had included on their original preference list, a school they had received a rejection letter from only a short while previously.

CLM's input

We advised the family and gathered the written reasons from the schools for failing to offer their child a place. During the collection of this information, one of the schools informed our client that they had rejected their child as they felt the application system had been misapplied and that the child should have received a higher preference option. We initiated an appeal against the decision of the school of first preference by way of Section 29 of the Education Act 1998.

Impact of CLM's input

Following the initiation of the appeal under Section 29 of the Education Act 1998, our client's child was offered a place at their school of first preference, much to the relief of our clients and more importantly, to their child.

We also helped them to draft a letter of complaint to the Limerick Education Centre and a number of schools. This case highlights an unfortunate example of a completely opaque and confusing decision-making process.

► CLIENT STORY

Access to Housing

Background

CLM Limerick was contacted by a family who had been refused access to emergency accommodation. They had surrendered a council home and left the country a few years previously as they were victims of anti-social behaviour. Things did not work out and they returned to Ireland and privately rented a home until their resources were depleted. They presented homeless to the Council as they were unable to secure rented accommodation any longer. However, they were told that they were no longer on the housing list and as a result did not qualify for emergency accommodation.

CLM's Input

We advocated on behalf of the family, highlighting section 2 of the Housing Act 1988 which clearly defines homelessness and shows that it is a separate and distinct system to the social housing regulations which governs social housing support.

Impact of CLM's Input

After discussion and letters seeking an appeal of the Council's decision the Council granted this family emergency accommodation.

► CLIENT STORY

Employment Rights

Background

Cathy came to one of CLM Northside's clinics in relation to an employment situation, seeking advice on how to access her redundancy payment. She had been a very loyal employee for 35 years and assisted with arranging redundancy payments for other staff when the company began to go into decline. The managing director came in to her office one day and told her that the company was closing the following day and that there was no money left to pay her redundancy. She was understandably devastated. She then applied to the Redundancy Payments Scheme run by the Department of Employment Affairs and Social Protection and after waiting for months for a decision, was refused.

CLM's input

We wrote to the Department on her behalf, pointing out that their decision was incorrect, and also lodged a complaint in the WRC. After further contact with the Department, the decision was reviewed and she received the total amount due to her.

Impact of CLM's input

The client said that when she attended the clinic, she had given up any hope of getting anything. She described our service as being "like a life buoy" and said that we will never know the difference it made to her.



CLIENT VOICES

“Thank you so much for your help and advice which gave us the strength to pursue the section 29. We knew it was wrong and you were the only one to agree and listen enough to help us go forward. I never want another family to face that challenge.”

“I was very satisfied with everything that CLM did for me. They were very helpful, kind and were the only ones that helped me, Caroline and Lourde were brilliant.”

“I am very thankful for what you have done, I was at my wits end.”

“It has been many years since anyone showed me kindness and a big thanks to CLM Limerick.”

“The advice was very useful, very helpful, always it was followed through, I would have had no hope dealing with it myself.”

“CLM worked on our behalf by getting in touch with the council and explaining our situation.”



MEDIATION AND CONFLICT COACHING

CLM provides a free mediation service in the areas of parental mediation, wider family mediation, community/ neighbour mediation and workplace mediation. This is complemented by our Conflict Coaching Service which helps people, on a one to one basis, to develop skills to manage interpersonal conflict.

Our mediation service is delivered in Dublin, Wicklow and Limerick through a co-mediation model, by a panel of over 32 committed volunteer mediators, all of whom are fully accredited and hold practicing certificates with the Mediators’ Institute of Ireland (MII). At the end of 2019, we recruited an additional 26 new mediators to the panel.

Our mediation volunteers are supported through a CPD, Learning & Sharing and Reflective Practice Programme. In 2019, we welcomed Vivienne Fay as

our new Reflective Practice Supervisor, together with five new mentors who will assist with the delivery of the Reflective Practice programme.

Our mediators also volunteer in a number of courts – including the Dublin District Court and the family court in Bray where they provide mediation information and take referrals.

In 2019, there was a strong demand for our mediation service. We were contacted by 363 people seeking information about mediation. Of those 363 queries, 126 proceeded to full mediation cases. The remainder were either referred to other services or could not take place, as the other party did not wish to participate. The majority of mediation cases involved two parties but some involved larger groups.

THE YEAR IN NUMBERS

363

number of queries in which information was provided in relation to the mediation service and process

126

number of queries that proceeded to full mediation

TYPE

- ▶ **81** - Parental/Wider Family Mediation cases
- ▶ **21** - Community/Neighbour Mediation cases
- ▶ **1** - Workplace Mediation case
- ▶ **23** - Conflict Coaching cases

Background

CLM's Mediation Service was contacted by a young man regarding ongoing conflict with the mother of his 4 year old child. The father had previously requested a hearing date in the District Court, as he and the child's mother could not reach an agreement together on access, maintenance or joint guardianship regarding their child. There was no formal line of communication between both parties.

CLM's input

We coordinated several shuttle mediation sessions between both parties over the course of a number of months in an attempt to build trust and facilitate communication between them. Both parties had not spoken since the birth of their child.

Our mediators enabled both parties to start communicating with each other to the point where they could sit in a room together.

The mediation sessions enabled the parties to address and explore the following:

- The impact of each party's behaviour and actions on their child;
- The impact of that behaviour on any future relationship between both parties
- The most beneficial outcome for both parties and the actions required to achieve it.

Impact of CLM's input

Through the assistance of CLM's Mediation Service, the parties designed a plan for future communication between them. The plan set out ways of communicating more clearly and reminded them of the importance of showing respect for each other. An access plan was put in place and they tried different schedules to see what worked best in relation to their young child. This was a major concern as the child had not met the father before. A maintenance plan was also put in place and both parties came to an agreement in regard to guardianship.



"I found the two mediators excellent and having never experienced mediation before I was unexpectedly surprised and grateful for these ladies expertise at leading us to the best outcome ever. My son is re engaging with his father in fact we all are! Huge Thank you to you both."

"Very useful service helping understand a lot of issues and working on them. Mediators were very professional and fair."



INFORMATION AND EDUCATION

► INFORMATION

One way that CLM meets the unmet legal need identified in our legal service is through the provision of legal resources such as: Information Guides; and Casebase, our database of reports on decisions of the Social Welfare Appeals Office.

Information Guides

In 2019, we launched a new Information Guide on Social Housing Support. It is available in hard copy form and online at www.communitylawandmediation.ie

Casebase

Casebase is the only publicly accessible database of reports of decisions of the Social Welfare Appeals Office. These include reports on cases taken by CLM and other advocacy organisations such as FLAC, MABS and Citizens Information.

Through the Casebase database, we aim to provide greater clarity on the reasons for an Appeals Officer's decision and assist members of the public and advocacy organisations in deciding to appeal decisions and in the preparation of appeal submissions. All reports published on Casebase are anonymised and are subject to client consent and an external checking procedure before publication.

In 2019, we added 3 new case reports to the Casebase database. All case reports published to date can be viewed on our website www.communitylawandmediation.ie

► EDUCATION

CLM also seeks to meet unmet legal need identified in our legal service work through our Community Education Programme. This is an essential component of our service to the community and involves delivering in-house/ accredited legal training courses and Know Your Rights talks to the community.

Legal Training

In 2019, we ran our third online Housing Law and Policy course, in partnership with the University of Limerick (UL) Law Department. Students received accreditation from UL and, as the course was delivered on a blended learning basis, generally online, but with one face-to-face workshop, it was accessible to people all over the country.

We delivered a number of one day training courses on areas such as employment law, taking an Equal Status case, Mortgage to Rent, housing law and the Housing Assistance Payment.

We also delivered a number of in-house, tailor-made training to organisations such as MABS, The Salvation Army, Citizen's Information, The Housing Agency and Northside Partnership.

Know Your Rights Talks

Our Know Your Rights talks, which are delivered free to the community, help people learn about and understand their rights in a range of areas. The talks are delivered in libraries and other accessible locations, in partnership with groups and organisations such as Age Friendly, the Deaf Village, Baldoyle Resource Centre, the Community Companions group in Moyross, Limerick CIC and Adapt Limerick. In 2019, these talks addressed areas such as: employment discrimination; Enduring Power of Attorney; wills; family law; managing difficult situations; domestic violence; and housing and homelessness.

We also worked with other organisations to deliver free information talks, for example, representatives of Spirasi spoke on their work as the national centre for the rehabilitation of victims of torture in Ireland; and John McDaid and Catherine Ryan gave talks on the work of the Legal Aid Board in Dublin and Limerick.

THE YEAR IN NUMBERS

- **703** - number of course participants
- **6** - number of *Know Your Rights* talks
- **5** - Information talks in the community
- **1** - online housing law course in collaboration with University of Limerick
- **3** - *Managing Difficult Situations* courses
- **21** - number of in-house legal training courses provided to advocacy organisations
- **120** - participants in the Legal Eagles, CLM's schools project



PARTICIPANT VOICES

“Huge area so there was a large volume of material covered, instructor was excellent and very knowledgeable on the issues.”

Housing, Law and Homelessness

“Excellent course a clean and practical grasp for taking a case to the WRC.”

Taking an equal status case to WRC

“This was an excellent course.”

Mortgage to Rent Course

“Excellent!”

Housing Law & Policy (online course)



COMMUNITY ENGAGEMENT

Community engagement is one of CLM’s core values as it guarantees the continued relationship between the needs of the community and the services we offer.

Collaboration with Organisations

In 2019, we continued to collaborate with other organisations in the delivery of legal advice clinics and community education.

We delivered a number of monthly, outreach legal advice clinics with organisations such as: Novas Limerick; Blanchardstown Citizen’s Information; Clondalkin Traveller Development Group; Dublin City Centre Citizen’s Information; Meath Street Citizen’s Information; Children’s Rights Alliance; and in various community centres in the four areas identified for regeneration in Limerick. In October, in collaboration with the National Women’s Council of Ireland, we launched a new employment law advice clinic for women.

Working in this manner ensures that our services are accessible to those who need them and that we are working closely with those at the coalface.

Legal Support to Organisations

In 2019, CLM provided legal support to a number of organisations across the country on issues affecting their service users. This was delivered through our membership scheme; and also through our legal support contracts with MABS NDL (in the areas of debt, social housing and assisted decision making) and CIB (in the area of employment law). This is an important way of extending the reach of our work.

Advisory Committees

CLM Limerick and CLM’s Mediation Service in Wicklow are governed by CLM’s Board of Directors, but also have their own Advisory Committees. Membership of the Advisory Committees include representatives from community groups and other key stakeholders, and their role is to provide guidance on the development of the services.

CLM 2019 Limerick Advisory Committee

1. Catherine Hickey, FLAC
2. Yvonne Bogdanovich, MABS Limerick
3. Brian Ryan, Limerick Social Services Centre
4. Fr Pat Hogan, Southhill representative
5. Lindsey Liston, Limerick Southside representative
6. Shane Kilcommins, University of Limerick
7. Anne Cronin, Novas

2019 Wicklow Advisory Committee

1. Ros Palmer, CLM
2. Donal Waddell, (CLM Volunteer Mediator
3. Hayley Murphy, Bray Women’s Refuge, Outreach Co-ordinator
4. John Byrne
5. Martina Cronin, (Wicklow CIC, Development Manager)
6. Garda Inspector Eoin Phibbs



STUDENT VOICES

“We were the Prosecution Barristers and we really enjoyed this Law Module. The Mock Court was great and Ros and Santana were really helpful. We might consider law as a job in the future. Thanks Anthony and Conor.”

“Very good experience, not every teenager would get the chance to do this project, could be a future job. Dano.”

“We were the Defence Barristers, the experience was very enjoyable. Even though we lost the case we had a really good time. Thanks for the chance to do this, Dean and Jaroslav.”



Networks and Boards

We value the important relationships we have with other organisations, and are a member of a number of Boards and Committees of organisations whose work complements CLM’s such as the:

- ▶ Law Society of Ireland Employment & Equality Committee
- ▶ Law Society of Ireland Human Rights & Equality Committee
- ▶ Immigrant Council of Ireland
- ▶ Northside Partnership
- ▶ Independent Law Centres Network
- ▶ Northside Community Forum
- ▶ North Dublin Regional Drugs & Alcohol Taskforce, Swords
- ▶ Legal Aid Board External Consultative Panel
- ▶ North Central Area Joint Policing Committee

Creating Awareness

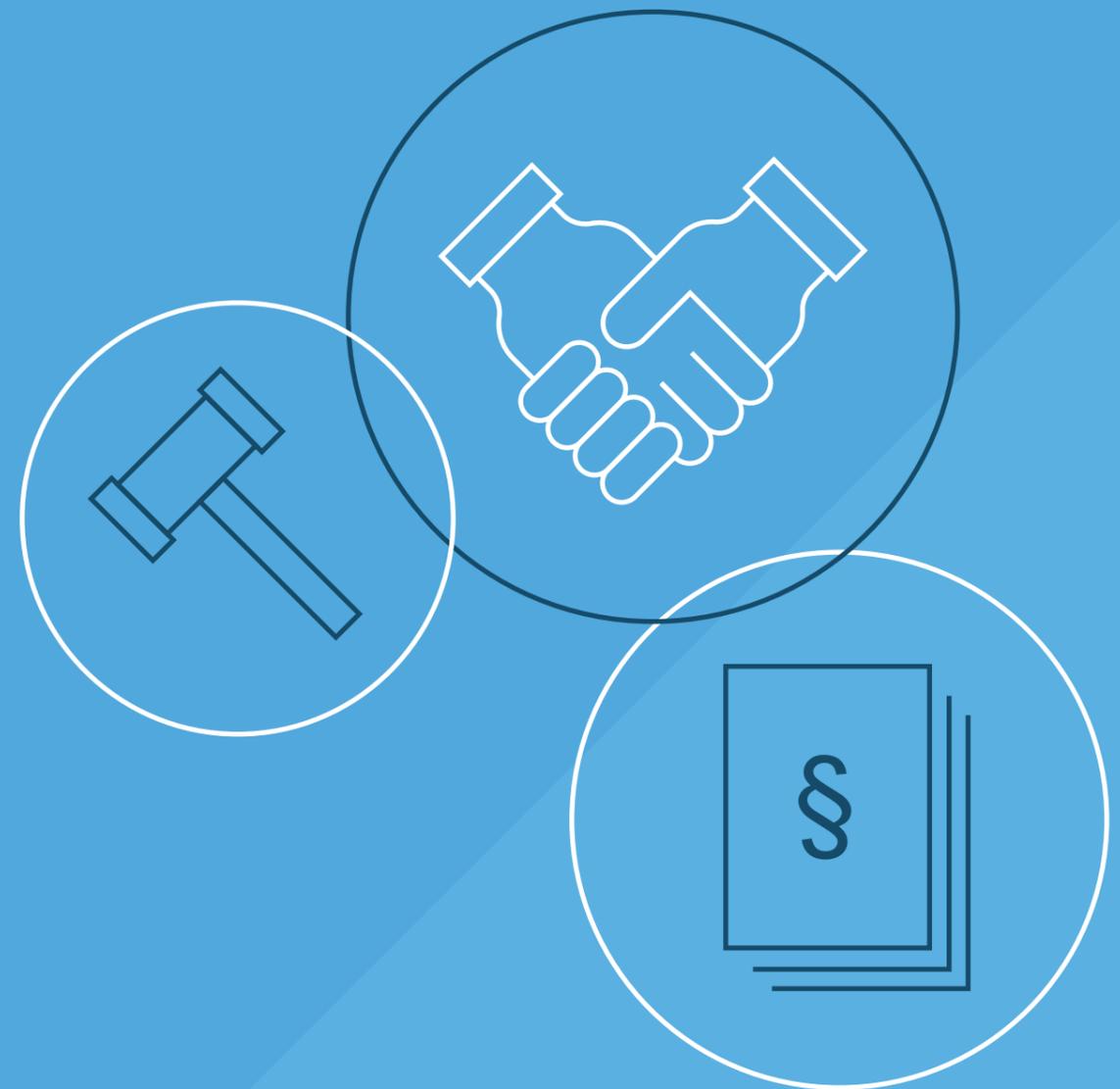
Through meetings and training with other advocacy organisations, and our Know Your Rights and Mediation Awareness Talks, we aim to create an awareness of how the law or CLM’s service can be of benefit to the community.

Legal Eagles

In 2019, our Legal Eagles Schools’ project, funded by Dublin City Council, involved transition year students at two local secondary schools in Coolock, Chanel College for boys and Mercy College for girls. The project involved the delivery of a series of classroom-based talks on the Irish legal system tailored to meet the needs and interests of the students. Each project concluded with students participating in a ‘Mock Court’ competition in UCD. The ‘Mock Court’ enabled the students to learn about the legal system in a fun way and how to apply the law to real life situations.

STRATEGIC OBJECTIVE 2:

To address legal issues arising in our services through political and legal processes.



ADVOCATING FOR CHANGE

Our legal advice clinics and our casework inform our policy work. We advocate for change through law reform campaigns, presentations, legislative submissions and roundtable discussions.

This knitting together of our legal service work with our policy work ensures we are tackling the issues of greatest relevance to the community in a way which has the most impact.

Access to Justice

In December, we were invited to present before the Joint Oireachtas Committee on Justice & Equality in December, on the topic of Access to Justice. We highlighted the important role community law centres play in providing access to justice for people living in disadvantaged communities and recommended the following:

- ▶ Restructure the Civil Legal Aid Scheme in line with the community law centre model to include a public legal education and law reform function. In the interim, greater funding security should be ensured for community law centres, such as CLM, who continue to meet the need arising from the gap in services;
- ▶ Review the Civil Legal Aid Scheme to ensure that it is properly resourced and is provided on the basis of need, rather than areas of law and that the financial means test is more inclusive; and
- ▶ Ensure effective access to the courts by examining issues such as accessibility; cost; class actions; locus standi and protective costs orders.

We hope that this issue will be revisited by the Government in the coming months.

Courting Disaster Campaign

In December, we joined with ten other organisations – including the Bar of Ireland, FLAC, Barnardos, the Children’s Rights Alliance, Dublin Rape Crisis Centre, Family Lawyers Association, National Women’s Council of Ireland, One Family, The Law Society and Women’s Aid – to call on the Government to allocate the funding required to develop a dedicated Family Law Court at Hammond Lane in Smithfield in Dublin.

The Courting Disaster campaign highlighted the archaic conditions in which family law and childcare cases are currently being heard. Some of the most vulnerable members of society seeking to resolve family law proceedings are faced with wholly unsuitable and inconsistent court facilities where not even basic needs are met.

Roundtable on Women in the Workplace

In November, we held a roundtable on Women in the Workplace. The roundtable was timed to coincide with the start of a new monthly clinic run by CLM and the National Women’s Council of Ireland (and funded by IHREC) which provides free legal advice to women facing gender discrimination in the workplace.

The aim of the roundtable was to provide information on the landscape for women in the workplace and leading experts were invited to speak - including Marguerite Bolger SC, Dr Mary Murphy, Maynooth University and former Member of the Irish Human Rights and Equality Commission, Rachael Ryan of SIPTU, Amie Lajoie of TASC and Denise Roche of NWCI. It also aimed to facilitate individuals and organisations working in the area to identify particular challenges for women in the workplace and to examine the sectors which tend to present most challenges.

Access to Justice for people with intellectual disabilities

We made submissions to the Department of Justice & Equality on the National Disability Inclusion Strategy and to the Courts Service on its Digitally Enabled Long-Term Strategy – highlighting access to justice for people with intellectual disabilities.

Our submissions highlighted the fact that, despite ratification of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the law remains a remote and inaccessible concept for many, particularly those with intellectual disabilities. We recommended the following:

- ▶ Develop guidance and assistance for barristers, solicitors and judges on how to make the courts process accessible and manageable for people with intellectual disabilities.
- ▶ A court-appointed liaison officer should be available to accompany people with intellectual disabilities, show them around the courtroom prior to the hearing and talk them through the court procedure.
- ▶ Collect data on the number of people with intellectual disabilities accessing justice through issuing court proceedings.

Reduced timetables in schools

We were invited to present to the Joint Oireachtas Committee on Education and Skills in June, on foot of a submission we made in relation to the use of reduced timetables in schools.

In our presentation, we highlighted the damage reduced timetables cause as an informal method of school exclusion, a practice which operates outside of the formal school suspension system and the safeguards (such as the right to appeal) contained within that system.

We also highlighted how the practice disproportionately affects vulnerable groups such as children with disabilities and members of the Travelling community, and how it contributes to the high rates of non-school completion among groups at a socio-economic disadvantage.

Traveller accommodation

In January, we convened a roundtable on the experiences of and difficulties accessing Traveller accommodation in Ireland. The roundtable was hosted by the School of Law at the University of Limerick and was attended by local Traveller groups and advocates and University of Limerick students. We presented our research on the Caravan Loan Scheme, and facilitated a discussion on the experiences of advocates working in the area of Traveller Accommodation.

We also made a submission to the Seanad Public Consultation Committee on Travellers (*Travellers Towards a more equitable Ireland post recognition*) on the issue of accommodation and the Caravan Loan Scheme.

In our submission, we set out the immense barriers Travellers still face in this area, and the issues that come through our legal advice clinics on a regular basis. These include difficulties securing culturally appropriate accommodation, endemic discrimination in the private housing market and limited access to legal representation which could remedy these situations. We emphasised the dangers of a “one-size-fits-all approach” and the need to service those who wish to remain on halting site accommodation.

We recommended an overhaul of the Caravan Loan Scheme, an expansion of legal aid scheme and that an improved and updated Circular be sent out regarding the provision of Traveller Specific Accommodation.

Pathways to Work

We made a submission to the Department of Employment Affairs and Social Protection in relation to the Pathways to Work Strategy. We highlighted some of the barriers to entering the workforce that are experienced by our clients and gave recommendations on how these might be addressed, including:

- ▶ Support for older workers and meaningful access to an effective remedy when discrimination occurs, as well as education to promote inter-generational understanding and cooperation, essential to addressing ageism in workplaces.
- ▶ Flexible work and financial supports (including social welfare and revenue arrangements) necessary to support phased retirement.

- ▶ Acknowledgment of the value of care in the economy, together with more meaningful support for women entering the employed work force.
- ▶ Access to transport supports for people with disabilities seeking to fulfill their employment ambitions

We also highlighted the lack of legal aid for employment and equality cases before the Workplace Relations Commission. In our view, this is a major barrier to enforcing employment rights for older jobseekers, women, lone parents, people with disabilities and others.

Access to the State Contributory Pension

We made a submission to the Irish Human Rights and Equality Commission (IHREC) in relation to section 41 of the IHREC Act 2014 and inequality surrounding the State Contributory Pension. In our submission, we argued that the state pension scheme should not penalise those (predominantly women) who took time out of the workplace to care for children and that, by excluding those born before 1 September 1946, the Home Carers' Scheme discriminates against older women and is incompatible with the European Convention on Human Rights and Article 40.1 of the Constitution.

STRATEGIC OBJECTIVE 3:

To ensure that CLM has the people, systems, structures and resources to deliver on our strategic objectives.



VOLUNTEERS

There is a community of legal and mediation volunteers involved in CLM who believe in the importance of our work and of using their skills and time for people who need it. Volunteers are the very backbone of CLM. We would not be able to provide the level of service we provide without their generous commitment, which we both acknowledge and appreciate.

Legal Clinic Volunteers

CLM Northside operates a free advice clinic on a Thursday evening. Last year, we had 18 barristers and solicitors on the rota who gave their time free to the centre.

Mediation and Conflict Coaching Volunteers

The mediation and conflict coaching services are delivered by a panel of 32 volunteers, all of whom are fully accredited and hold practicing with the mediators Institute of Ireland (MII). At the end of 2019, we recruited an additional 26 volunteer mediators to the panel.

Trainee Solicitor Placement

As part of A&L Goodbody's Responsible Business Programme, trainee solicitors Collen Barret and Andrew Crawford were seconded to work with us one day per week for three months during 2019. We also welcomed trainee solicitors Emma Finn and Sorcha Cusack from McCann FitzGerald who each worked one day per week for two months. They assisted the solicitors with casework and general research across a range of areas including employment, housing, data protection and company law. Lucy Mulvaney, a trainee from Arthur Cox, also joined CLM's legal team full time for six months. Our thanks also to Arthur Cox, McCann Fitzgerald and A&L Goodbody for facilitating these valuable placements.

Legal Interns

Law graduate and student, Paul Bruun-Nielsen and Hannah Edwards, both from Trinity College Dublin (TCD), interned with CLM during the summer of 2019. They supported the legal team with casework, policy and research projects.

Simona Hamorska, also from TCD and Molly Tyrell from the Irish Centre for Human Rights, NUI Galway, completed their placements with CLM as part of their clinical legal education programme, while Ellen O'Donovan, a law student from NUI Galway, completed a three month placement with CLM.

We also welcomed Santana Hernandez Power, who volunteered two days per week during the year. She assisted the legal team and worked on the Legal Eagles programme.

Our Limerick office welcomed Danielle Costello, Limerick Institute of Technology, Connor Tuohy, University of Limerick and Jacqueline Murray who supported the legal team with casework, policy and research projects.

CLM continued its partnership with the Edward Kennedy Institute for Conflict Intervention in NUI Maynooth. We supported two postgraduate students this year, who gained practical experience in mediation as part of their MA programme.



"I worked with CLM as an intern for my Clinical Legal Education module, as part of my fourth year Law degree at Trinity College Dublin, in 2019. My experience in the law centre was truly rewarding. During my time in CLM, I gained an insight into many different areas of law, such as housing law, equality law, debt law and social welfare, which I would less likely have found in TCD. I found myself experiencing a real life, day-to-day, work of a solicitor which provided me with new knowledge and skills. I learned something new every day, while in CLM, and I believe this was kind of an adventure for me which will be very useful for me in my future career. Everyone in CLM was lovely and I am truly thankful for being a part of such a great team." Simona Hamorska

"I have been a volunteer mediator with CLM for a number of years and have been privileged to assist separating couples from the Coolock and surrounding areas in agreeing shared parenting arrangements for their children together with plans for new living arrangements that make the best of what are otherwise difficult circumstances. I have also been honoured to assist in community and workplace disputes, facilitating and encouraging the parties to reach an amicable resolution.

The service provided by the CLM team provides a much needed response to people living and/or working in the North side of Dublin and beyond, who find themselves in conflict situations that they are unable to resolve themselves. I am very proud to be part of this team." Ellen Byrne

“I was an intern with CLM for two months during the summer after my second year of college. This internship gave me practical experience in the area of law, unlike that which I have experienced throughout my study of the subject in college. I was given the opportunity to engage in a number of projects that the solicitors were working on and to research topics that were new and interesting to me, vastly improving my research skills. The insight that I have been given into key areas of law such as employment law and housing law is very useful as it will aid my future studies in college. Not only that, but I have also gained an important insight into the areas of policy worked on by organisations such as CLM.

I found the work to be both interesting and rewarding and would definitely say that my experience here has pushed me in a new direction going forward. I learned a lot during my time at CLM and have benefitted greatly from it. My experience here was invaluable and I am extremely grateful to all of the staff who were always helpful and kind and do not get enough credit for the important and challenging work that they do.” Hannah Edwards



STAFF, GOVERNANCE, FUNDING, FINANCE

► STAFF

We are delighted to announce the arrival of some new and returning members of staff to CLM in 2019: Sinead Kerin, Solicitor and Manager, CLM Limerick; Martina Brennan, Solicitor, CLM Limerick; Aishling Hickey, Legal Secretary; Aisling Murphy, Mediation Administrator; Vivienne Fay, Reflective Practice Supervisor; Elizabeth Devine, Communications Manager; and Georgina Bonney and Eileen Cosgrove, Administrators on the CE Scheme.

In 2019, we bid a sad farewell to: Caroline Keane, Solicitor and Manager, CLM Limerick; Mary Bailey, Receptionist; Elaine Higgins, Legal Secretary; and Moya de Paor, Solicitor. We thank them for all their hard work and dedication and wish them the very best in their future endeavours.

1. Rose Wall – CEO & Solicitor

2. Management Team

- **Elizabeth Devine**
Communications Manager (part-time)
(commenced September 2019)
- **Caroline Keane**
Solicitor and Manager, CLM Limerick
(finished October 2019)
- **Sinead Kerin**
Solicitor and Manager, CLM Limerick
(commenced September 2019)
- **Denise Leavy**
Office and Finance Manager (part-time)
- **Jane O’Sullivan**
Managing Solicitor
- **Ros Palmer**
Community Education & Volunteer Manager

3. Solicitors

- **Ruth Barry**
CLM Northside Solicitor (Child Law) (part-time)
- **Martina Brennan**
CLM Limerick Solicitor (part-time)
(commenced July 2019)
- **Siobhán O’Donoghue**
CLM Northside Solicitor (Housing Law)

4. Administration Team

- **Mary Bailey**
Receptionist (Job Share) (retired August 2019)
- **Georgina Bonney**
Administrator CE Scheme (part-time)
(commenced July 2019)
- **April Bracken**
Accounts Technician (part-time)
- **Eileen Cosgrove**
Administrator CE Scheme (part-time)
(commenced November 2019)
- **Aishling Hickey**
Legal Secretary (commenced November 2019)
- **Elaine Higgins**
Legal Secretary (part-time)
(finished October 2019)
- **Sinead O’Farrell**
Senior Administrator (part-time)
- **Ann O’Shaughnessy**
Receptionist (Job Share)
- **Lourde Quigley**
Administrator (Limerick Office) (part-time)

5. Mediation Team

- **Aisling Murphy**
Mediation Administrator (commenced April 2019)
- **Grainne Stringer**
Mediation Administrator CE Scheme (part-time)

► GOVERNANCE

Community Law & Mediation (CLM) is committed to the principles of transparency and accountability and works hard to ensure that all funding is put to the best possible and most efficient use.

CLM is a company limited by guarantee (Company Reg. No. 69771) and a charity recognised by the Revenue Commissioners (CHY No. CHY6359). CLM is an independent law centre under the terms of the Solicitors Acts 1954-2002 (Independent Law Centres) Regulations 2006, SI 103/2006.

CLM is governed by a board of directors who provide guidance on the direction and development of the Service

CLM 2019 Board of Directors

- **Gerry Donnelly**, Chairman
- **Gerard Durcan S.C.**, Vice Chairman (term completed October 2019)
- **John Dunne**, Treasurer (term completed October 2019)
- **Catherine Ghent**, Secretary
- **Declan Cahill**
- **Paul Rogers**
- **Ronan Farren**
- **Diane Duggan**
- **Debby Maguire** (term commenced June 2019)
- **Carita McCarthy** (term commenced October 2019)

► Risk & Audit Sub Committee:

Declan Cahill, Debby Maguire, Carita McCarthy

► Finance & Admin Sub Committee:

Paul Rogers, Carita McCarthy

Legal Quality Standard

CLM was awarded the Legal Quality Standard (Q6000) in 2018 and will seek to renew it again in 2020. This is awarded to firms that abide by exceptional levels of client practice and risk management procedures.

Financial Reporting

CLM submits full financial reports to its Board of Directors every six weeks and has its accounts independently audited on an annual basis. Our financial policies and procedures are reviewed annually.

The Charities Regulator

CLM is fully registered with the Charities Regulator (Registered Charity Number 20011437) and submits its accounts and annual report annually to the Charities Regulator.

The Governance Code

Throughout 2019, CLM continued work to ensure compliance with the Charities Regulator Governance Code. The organisation will be fully compliant by early 2020.

The Statement of Guiding Principles for Fundraising

CLM adheres to the [ICTR Statement of Guiding Principles for Fundraising](#)

Regulation of Lobbying Act 2015

Working in the area of law reform, CLM is registered as a lobbyist in line with Regulation of Lobbying Act 2015 and makes returns to the Lobbying Regulator every four months.

► FUNDING

CLM would like to express our thanks to all of those who provided financial support to the organisation, without which, none of the activities

in this report would have been possible.

In 2019, CLM's funders were:



Comhairle Contae
Fhine Gall
Fingal County
Council



COURTS SERVICE
An tSeirbhís Chúirteanna
IRELAND



Citizens Information Board
information · advice · advocacy



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

Law Society of Ireland

Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

CONGREGATION OF THE
SISTERS OF MERCY

ESB
Energy for generations



Limerick
Social Service
Council CLG
Comhairle Sheirbhís Sóisialta Luimnigh CLG

LIMERICK
REGENERATION

► FINANCE

CLM's accounts are prepared in accordance with FRS102, the Financial Reporting Standard applicable in the UK and Republic of Ireland. The 2019 accounts were audited by Crowe Ireland and are made available in full on www.communitylawandmediation.ie.

CLM's financial year runs from 1 January to 31 December. The following extracts are from CLM's audited accounts for the year ending 31 December 2019:

	2019 €	2018 €
Income		
Government Grants	410,000	410,000
Other Grants	43,140	42,439
Donations	154,195	134,075
Other Income	246,949	214,502
	854,284	801,016
Expenditure		
Administrative Expenses	(805,523)	(730,865)
Surplus/(Deficit) for the year	48,761	70,151
Balance Sheet as at 31st December 2019		
Fixed Assets		
Tangible assets	19,838	25,306
Current Assets		
Debtors	62,092	78,265
Cash at bank and in hand	425,848	369,784
	487,940	448,049
Creditors: Amounts falling due within one year	(106,394)	(120,732)
Net Current Assets	381,546	327,317
Total Assets less Current Liabilities	401,384	352,623
Reserves		
Income and expenditure account	401,384	352,623
Members Funds	401,384	352,623



**Northside Civic Centre, Bunratty Road, Coolock, Dublin 17, Ireland
Tel: (01) 847 7804, E: info@communitylawandmediation.ie**

**Limerick Social Service Centre, Henry Street, Limerick, Ireland
Tel: (061) 536 100, E: limerick@communitylawandmediation.ie**