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Casework update

- MLRC client, EU citizen, given entry onto housing list - local authority initially refused on basis that applicant did not have a record of having 52 weeks employment in Ireland - local authority overturned initial decision after submissions by MLRC for client - "52 weeks rule" frequently incorrectly applied by local authorities, [read more](#)
- Separated father with an interest in the family home, Council issues housing needs assessment letter enabling him access to rent supplement and social housing support, [read more](#)
- Local authority carries out extensive repairs of MLRC's client's local authority house and , as a result, neighbouring local authority houses, [read more](#)
- Medical priority on the housing list – "vital need" awarded within medical priority – successful outcome for MLRC client, [read more](#)

Policy update

- The right to housing - MLRC, as part of the ESC Rights Initiative, has submitted Open Letters to the Taoiseach and Tánaiste calling on the Government to accept the Constitutional Convention's recommendation to strengthen Economic, Social and Cultural Rights in the Constitution, [read more](#)
- Families and homelessness – In September, MLRC held a focus group with Focus Ireland to

discuss the crisis of families becoming homeless and the possible legal challenges to situations where families are being told by local authorities that there is no emergency accommodation available for them. In the absence of an express right to housing, the State's obligations to provide such emergency accommodation, under current law, is very limited. Local authorities are not obliged to provide housing in individual cases. The possible legal challenges to a failure to provide accommodation centre around the child's right to shelter and Article 8 of the European Convention on Human Rights on the right to privacy and family life.

- The new Housing Assistance Payment – In September, MLRC held a focus group with Liberties, Inchicore and Bluebell CICs to consider the new Housing Assistance Payment and its effect for clients. The Housing Assistance Payment is being introduced under the new Housing (Miscellaneous Provisions) Act 2014. Details of the Housing Assistance Payment and the benefits and issues with it are noted below in our Housing and Related Social Welfare Law Updates.

MLRC news

- In June, MLRC's 2013 Annual Report was officially launched by Minister Jan O'Sullivan. For full details of the launch, photos of the event and the Report: [read more](#)
- MLRC opens a new clinic in Saoirse Women's Refuge, Tallaght: On 21 October, MLRC began a new clinic for residents and clients of Saoirse Women's Refuge, Tallaght. Saoirse Women's Refuge is based in Tallaght, Dublin 24. Saoirse is a service for women and children escaping domestic violence, providing short term crisis accommodation and 24 hour support for up to six families as well as a 24 hour helping service. MLRC will hold this clinic with Saoirse on every second Tuesday. This clinic is in addition to the five other clinics run by MLRC in Focus Ireland, Liberties CIC, Dublin Simon Harcourt Street hostel, De Paul Backlane hostel, and Crosscare Haven House hostel.
- On 15 October, MLRC presented an overview of housing law and MLRC's work at the Citizen's Information Service Conference on Social Housing Advocacy and Homelessness. Dr Alan DP Brady BL, Dr Padraic Kenna of NUI Galway, the Ombudsman and representatives from the Department of the Environment also presented at the conference. MLRC's presentation is available [here](#).
- In June and September, MLRC welcomed Clinical Legal Education students from UCD and TCD to work with MLRC. Ellen Reid, UCD Clinical Legal Education student and Paul Behan, TCD Clinical Legal Education student worked full time with MLRC for these months and made a very practical and clear contribution to MLRC's work. Our sincere thanks to Ellen and Paul, Dr Liam Thornton, Director of Clinical Legal Education in UCD, and David Fennelly, Director of Clinical Legal Education in TCD. This summer, MLRC also welcomed interns Gary Hansell and Caoimhe Stafford from TCD, and Rosalind Deane, trainee solicitor with Mason Hayes & Curran. Thank you to Gary, Caoimhe and Rosalind for their excellent work and support.

MLRC Training

In September and October, MLRC held half day and evening training sessions for: Ruhama, Saoirse Women's Refuge, Life, and Merchants Quay Ireland. Read details of these sessions:

- [Ruhama](#)
- [Life Pregnancy Care](#)
- [Saoirse Women's Refuge](#)
- [Merchants Quay Ireland](#)

As part of MLRC's work, we provide training in housing law and related social welfare law to organisations working in the field of homelessness. If you are interested in organising a training session by MLRC, please contact Shauna on 01 4537459 or at shauna@mercylaw.ie. We would be very happy to

hear from you and discuss the training that would be most useful for you.

Housing law and related social welfare law updates

- In July, the new Housing (Miscellaneous Provisions) Act was signed into law. The Act introduces very important changes to the law regarding evictions from local authority accommodation; and the new Housing Assistance Payment.
 - Section 12 of the Act introduces a new system for possession from tenant and section 13 introduces a new system for possession from non-tenants (e.g. family members still in house). Under the new provisions, the District Court can assess the proportionality of the possession order. These provisions are not yet in force. A summary of the new procedures will be available shortly on MLRC's website.
 - A summary of the New Housing Assistance Payment scheme is available here, [read more](#)
- On 30 October, the High Court gave judgment in a case taken by Community Law and Mediation (www.communitylawandmediation.ie) regarding the entitlement of a separated father to rent supplement at the family rate. Judge Baker held that the Department of Social Protection had applied a flawed process in deciding that the father, who has joint custody of his children, was entitled only to a single person's rent supplement. Judge Baker held that the Department Deciding Officer had applied the wrong legal test by assessing only the father's accommodation needs without having regard to the complexity of his family relationships and the accommodation needs of his children. The judgment is not yet published. A link to the judgment and a summary of the case and its implications will be available shortly on MLRC's website.

About MLRC

Mercy Law Resource Centre is an Independent Law Centre and registered charity providing free legal advice, representation and befriending services to people who are homeless or at risk of homelessness in the areas of social housing and social welfare law. For more information about our work please see our website at www.mercylaw.ie.

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