



Mercy Law
Resource Centre

Introduction to Mercy Law Resource Centre Aoife Kelly-Desmond, Managing Solicitor

'There's No Place Like Home' –
Mental Health Social Work and Housing in Ireland Conference 2022



ABOUT MERCY LAW RESOURCE CENTRE



Independent law centre and **registered charity** established in 2009



Mission – To provide a unique and accessible legal service and supports for people who are homeless or at risk of homelessness



Services

- Free legal advice on social housing and related social welfare law issues
- Legal representation
- Befriending service
- Policy work to advocate for changes in law and policy
- Legal support and training to organisations and professionals on housing and related social welfare law



Ethos – To recognize the dignity of each person and to ensure that all people are treated with respect and compassion and are enabled to achieve their full potential as human beings



HOW WE CAN HELP



We advise on **legal issues** concerning **social housing law** and **related social welfare law**



For example:

- Access to emergency accommodation
- Access to social housing list being restricted / denied
- Transfers within social housing
- Operation of the HAP / RAS framework



We can **advise social workers** on legal issues in these areas that come up in your casework



We can **engage with clients directly** where the legal issue is central to resolving their housing situation



WHAT WE DON'T DO



We don't advise on **general legal issues** outside our focus area



For example:

- Residential Tenancies Act
- Private home ownership
- Housing quality / repair issues
- Operation of HAP/RAS tenancies
- General social welfare issues unrelated to housing supports



We don't advise on **non-legal issues** concerning social housing, such as help completing forms or general information on accessing social housing



OUR CASEWORK PRIORITY AREAS

High priority

Refusal of access to emergency accommodation.

Refusal of access to the housing list, particularly for people who are homeless.

Barriers to accessing suitable emergency accommodation and/or adequate housing, including those arising from discriminatory practices engaging the public sector and equality duty.

Deferrals and suspensions from the housing list and/or other housing & homelessness supports where the decision raises legal concerns, in particular for homeless individuals and/or families.

Low priority

Legal issues arising in relation to the operation of the frameworks for social housing supports (HAP and RAS).

Other issues related to social housing such as gravely unsuitable local authority housing, succession of local authority tenancies and issues arising where joint tenancy is no longer possible.

Medium priority

Transfer and priority applications relating to severe anti-social behaviour, domestic violence and/or harassment, and medical issues and/or disability causing severe hardship.

Evictions from local authority housing where the decision to evict is clearly unreasonable, disproportionate and potentially unlawful and creates a significant risk of homelessness.

Evictions from Approved Housing Bodies in the first 6 months of the tenancy, or otherwise in exceptional circumstances where the decision to evict is clearly unreasonable, disproportionate and potentially unlawful and creates a significant risk of homelessness.

Fair procedures issues arising in the provision of homeless accommodation, including cessation of placements or transfers causing severe hardship.

Families and/or vulnerable people living for extended periods in inappropriate emergency accommodation or placed in wholly inappropriate emergency accommodation.



Case studies





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Questions?

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