



**Duszpasterstwo Polskie w Irlandii**  
**Centrum Informacji Społecznej i Prawnej**  
pod patronatem Rzecznika Praw Obywatelskich

**The Polish Chaplaincy in Ireland**  
**Social & Legal Advice Centre**  
under patronage of **The Polish Commissioner for Civil Rights Protection**

**Social & Legal Advice Centre**

**activity**

**RAPORT**

**Dublin 2008**

*Social & Legal Advice Centre* has come into existence as an initiative of The Polish Commissioner for Civil Rights Protection dr Janusz Kochanowski, who also took patronage over the Centre, thanks to financial resources provided in cooperation with prof. Andrzej Stelmachowski by Association "*Wspólnota Polska*" and derived from Polish Senate subsidy and finally thanks to Fr Jarosław Maszkiewicz- Chaplain of the Polish Community in Ireland.

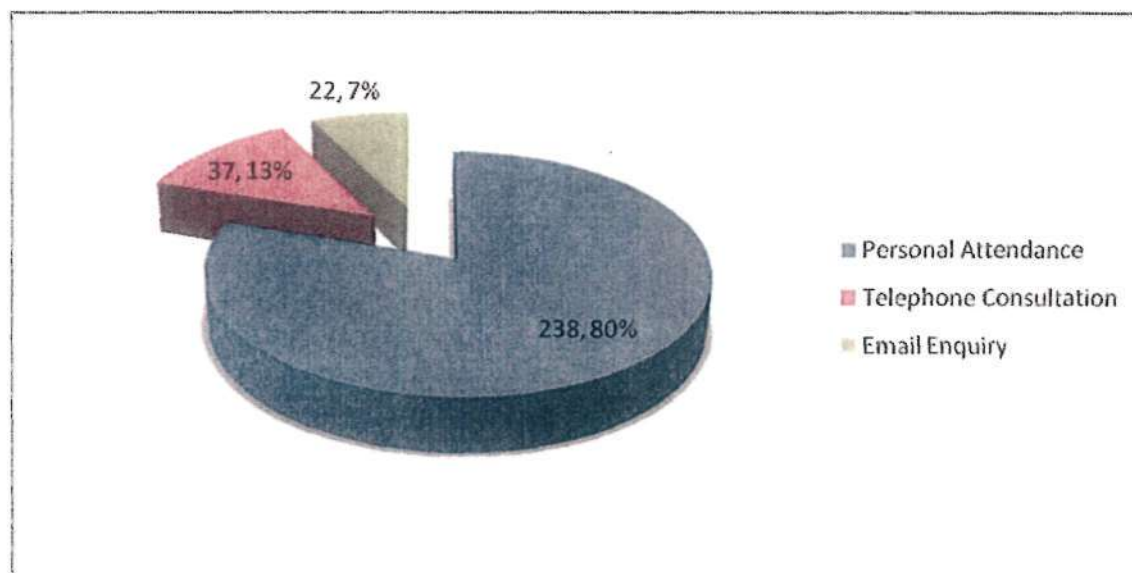
## **I. General information**

1. Social & Legal Advice Centre has been opened under its name on the beginning of June 2008. Before, since January 2007 legal advices and information were provided free of charge by Krystian Bojno, Legal Advisor, every Saturday and then Friday evening.
2. Advice Centre is open to the public every Tuesday and Wednesday from 3 pm to 7 pm and Friday from 3pm to 9pm. During the opening hours personal appointments are scheduled and also we are opened to the people on walk in basis for those who have problem with accessing telephones or email to make an appointment.
3. Due to a becoming popular a rule was set up that people living in Dublin area should attend Advice Centre personally (such form is preferred as giving us an opportunity to get required information and give accurate information.
4. Polish living outside Dublin receive help via phones, emails or by post.
5. Following information in relation to the scope of issues dealt by Information Centre was published on chaplaincy website and local polish newspapers:
  - a) social & legal information to members of Polish community in Ireland. Our services also include providing support to Polish in relation to Polish legal system, moving back to Poland, tax issues, transferring social benefit payments from Ireland to Poland and other legal problems that had been left in Poland before leaving;
  - b) information and ad vice for Polish In the areas of: employment law, social welfare (benefits, allowances supplements), general information in relation to tax system and tax liabilities, access to the health services;
  - c) professional assistance in relation to contacting Polish with the Irish professionals: Counsels and/or solicitors in relation to: issuing court proceedings, (i.e. unpaid wages, accidents at work, personal injuries) providing legal representation for clients against whom summons have been issued (i.e. road traffic offenses) when such professional assistance is in our opinion required.

## II. Social & legal advices

### 1. Methods of providing information

Social & Legal Advice Centre advised in almost 300 cases between June and 10<sup>th</sup> September 2008. Diagram below shows that most of the advices were given during personal appointments made with our Centre (238 visitors). Most of them consulted their case over phone or via email before being invited. Personal visit gives us a chance to properly advice, prepare necessary letters, handle required forms and help to fill them in. Such a way of advising is also more effective in our opinion, enable us to provide real support not only a referral to forms or legal regulations, that would not be properly interpreted in virtue of language barrier.

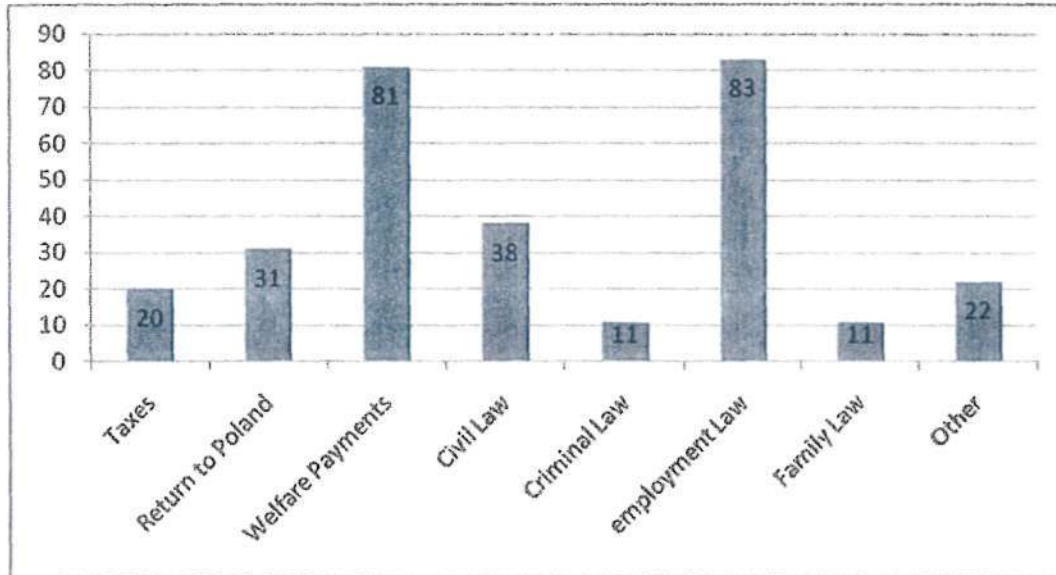


Phone or email consultations have been mainly provided to those living outside Dublin. We have been contacted by Polish living inter alia in Trim, Sligo, Galway, Limerick, Killarney, Cliffden and also in Poland.

### 2. Type of cases

Problems advanced by Polish reflect assumptions based on which the Social & Legal Advice Centre was founded. Majority of the problems involves the aspect of social payments/benefits, welfare and employment regulations. Circle diagrams below display this two main topics and its subcategories: types of welfare payments Polish were interested in, were

looking for or having had problems to qualify. In relation to employment regulations diagram shows which employee rights were contravened.



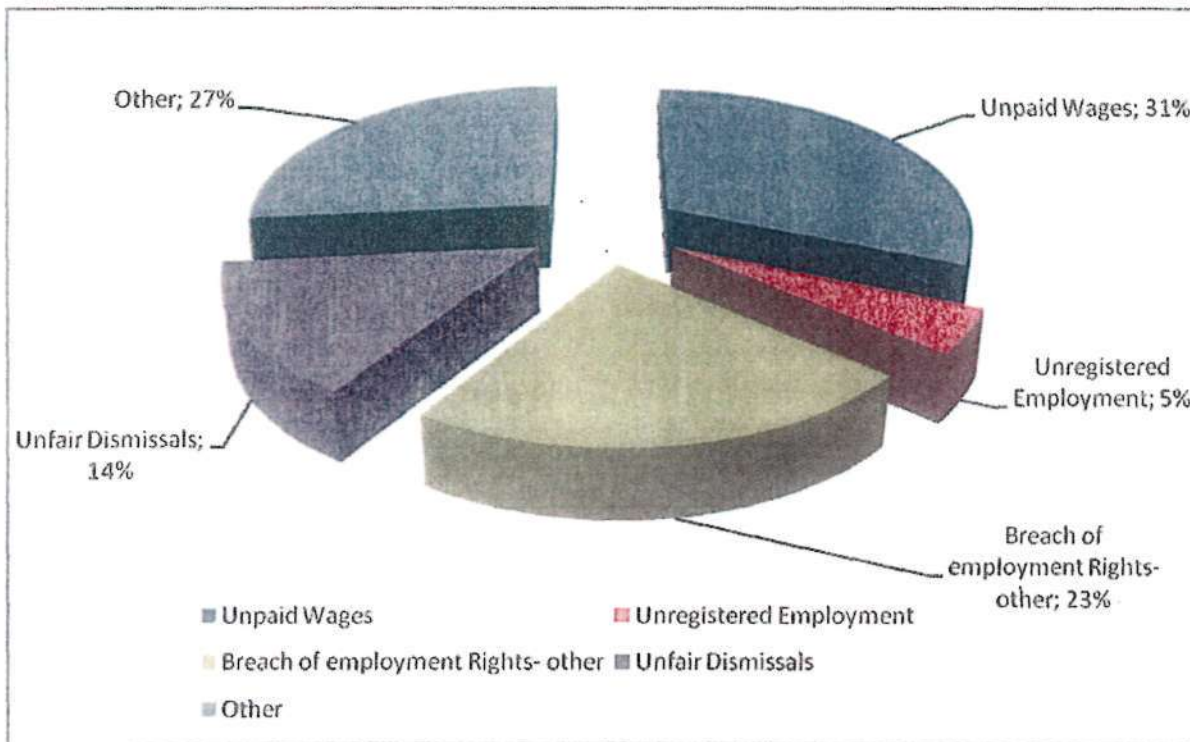
We have also decided to establish a separate category of cases in relation to Polish returning to Poland. We may confirm that 10-15% of all visiting our Centre ask what should be done before returning to Poland. Such queries are very often connected with willingness to transfer their job seeker benefit to Poland (or even other EU country i.e. Spain, Norway).

Cases in relation to civil law includes customer rights , purchases of properties in Ireland or Poland, problems with unreturned rental deposits in Ireland. In relation to landlord-and-tenant law we cooperate with Threshold- Irish government agency that provides free legal support in this area.

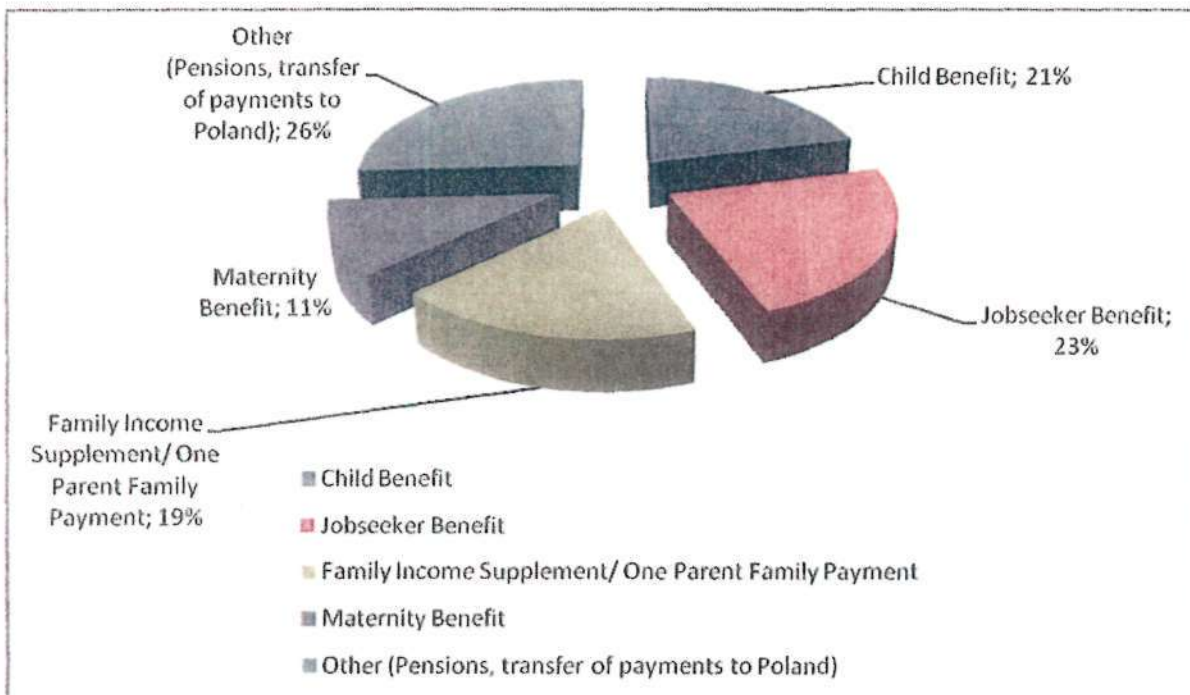
Criminal law cases concerns mainly breach of road traffic regulations and assaults. Although we have been consulted only with a few assault cases there was always nationalistic background.

We have been also consulted in relation to tax regulations and were able to help Polish to avail all tax credits and reliefs they are entitled to and therefore to reduce their tax obligations.

a) Type of case within the Employment Law subcategory



b) Type of case within Social payments & Welfare subcategory



3. Cases where further steps have been taken

We carry on correspondence and keep open 62 cases in which we have addressed correspondence to employers and public bodies (welfare payments). Those cases generally

relate to: unpaid wages, unpaid annual leave entitlements, unfair dismissals, inactivity of public authorities in relation to establishing entitlements to certain payments (mainly Child Benefit).

Open cases could be divided in to two categories:

- Where a decision of appropriate public authority or court is required (our role is to support the deciding officer with all requested information or to obtain court hearing dates and carry on correspondence with other side in the meantime);
- Where an immediate intervention of our Centre, barrister or solicitors Firm is required (employment disciplinary suspensions, summary dismissals, court cases with immediate court date).

### III Summary

During over three months of our activity our conclusion is that free social & legal information was absolutely necessary. Services provided by the Social & Legal Advice Centre become more and more popular what affects waiting period to make an appointment or to receive a response via email. Furthermore we found it difficult to provide a service over the phone to those living outside Dublin while only one person is permanently employed.

Free of charge legal information also meets expectations those Polish who had to pay relatively large sums for advises provided by Polish lawyers based in Ireland. We also doubt what is the standard of such services provided by Polish who are only graduated law from Poland and do not even cooperate on permanent basis with Irish professionals.

Majority of the problems advanced are not a complicated nature but rather are result of insufficient knowledge of English. Further problems are created by Irish or Polish employers, owners of the rented premises who are taking the advantage of such pure language skills. We have been informed on numerous of occasions that Polish were advised by employers who fill without impunity because the employee would not be able to effort legal advice.

We conclude that such Information Centre was necessary and the growing week-to-week number of applicants slowly become surpass the capability of Social & Legal Advice Centre.

Prepared by

Krystian Boino

Professional Legal Advisor (Polish solicitor)