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Dear Minister,

We are writing to you regarding the Civil Legal Aid System. We very much welcome the Department of Justice's commitment to a review of civil legal aid in Q3 2021. As you will be aware, for some time there has been growing demand for a root and branch review of the legal aid system. Such a review is long overdue – and is an essential part of improving access to justice and developing a modernised civil legal aid system.

During 2021, FLAC and a broad range of NGOs, charities and non-profits working in Ireland with vulnerable and marginalised communities have shared and discussed their experience of unmet legal need and difficulties with the civil legal aid system. These organisations and individuals provide legal expertise, information, support and advocacy to a broad range of communities, families and individuals. Collectively, we work with migrants, Travellers, members of the Roma community, deaf people, lone parents, disabled people, and victims and survivors of domestic violence, unemployed people, the working poor and more.

The common thread among all of these diverse communities is the experience of unmet legal need that is not addressed through the current civil legal aid system in Ireland.

We are now coming together to seek a commitment that the upcoming review of the civil legal aid system is comprehensive, meaningful, transparent, inclusive and participatory, incorporating the voices of citizens and stakeholders with first-hand experience of civil legal aid in Ireland.

We believe that there are four elements that will be crucial to the Department of Justice's planned review of the Civil Legal Aid System. It must be a root and branch review that is comprehensive in scope and map unmet legal need; It should explore the functions of the Legal Aid Board (including functions such as the provision of information, advocacy, education and research); the eligibility criteria for legal aid (including the means test, and financial contributions), the areas of law covered – (including discrimination, domestic violence, housing, sexual harassment, immigration); and the methods of service delivery (such as community law centres, targeted/specialised legal services for disadvantaged groups and individuals). It must be an independent review chaired by a person of status, such as a judge with an interest in access to justice (such as the original Pringle Committee).

Chief Executive – Eilis Barry

It must have at its centre the voices of those who experience unmet legal need and involve key stakeholders, including external groups and NGOs who provide legal and other services to people in poverty and disadvantage, such as FLAC, and members of the ILCN, the Legal Aid Board; Disabled Person's Organisations; statutory bodies such as IHREC, the Citizens Information Board and the National Disability Authority; relevant NGOs, academics and people who are familiar with the needs of lay litigants and representatives of the profession.

It must measure the civil legal aid system against international standards and compliance with the State's obligations under the Constitution, the European Convention on Human Rights, the European Charter of Fundamental Rights, the UN Convention on the Rights of Persons with Disabilities, and the Public Sector Equality and Human Rights Duty contained in Section 42 of the Irish Human Rights and Equality Commission Act 2014.

If the proposed review is to be meaningful and fit-for-purpose, it must incorporate all of these elements.

We look forward to engaging further with you and your Department on this matter.

Signed,

Eilis Barry, CE, FLAC

- Orla O'Connor, CEO, National Women's Council of Ireland
- Tanya Ward, CE, Children's Rights Alliance
- Karen Kiernan, CE, One Family
- Bernard Joyce, Director, Irish Traveller Movement
- Lorraine Dempsey, CEO, Inclusion Ireland
- Andy Heffernan, National Secretary, SVP
- Maria Joyce, Co-Ordinator, National Traveller Women's Forum
- Brendan Ogle, Senior Officer, Unite Trade Union
- Liam Herrick, CE, ICCL
- Paula Fagan, CEO, LGBT Ireland
- Sarah Benson, CEO, Women's Aid
- Orla Grehan, Irish Deaf Society
- Joan Carthy, National Advocacy Manager, Irish Wheelchair Association
- Catherine Cosgrave, Managing Solicitor, Immigrant Council of Ireland
- Shane O'Curry, Director, ENAR
- Nick Henderson, CEO, Irish Refugee Council
- Damien Walsh, CEO, Independent Living Movement Ireland
- David Byrne, Advocacy and Policy Worker, Cope Galway
- Fiona Finn, CEO, NASC Ireland
- Marissa Ryan CE, EPIC
- INOU
- Deirdre Kenny, Director of Advocacy/Deputy CEO, One in Four

- Suzanne Connolly, CEO, Barnardos
- Mike Allen, Director of Advocacy, Focus Ireland
- Ian Power, CEO, Spun Out
- Martin Collins, Co-Director, Pavee Point
- Jules McDonagh, Resource and Information Officer, Exchange House
- Moninne Griffith, CEO, BelongTo
- June Tinsley, National Advocacy Manager, NCBI
- Barry Sheridan, CEO, Down Syndrome Ireland
- Nem Kearns, Board Secretary, Disabled Women Ireland
- Kieran Loughran, CE, Headway Ireland (Brain Injury Services)
- Wendy Lyon, Solicitor, Abbey Law
- Mary-Louise Lynch, Director, SISI
- Louise Bayliss, Spokesperson, SPARK
- Lucky Khambule, Coordinator, MASI
- Gaibhin McGranaghan, Policy Officer, ASIAM
- Nancy Power, Joint Co-Ordinator, National Traveller MABS
- Edel McGinley, Director, MRCI
- Shana Cohen, Director, TASC
- Rose Wall, CEO, Community Law & Mediation
- Aoife Kelly Desmond, Managing Solicitor, Mercy Law