



**Law Society  
of Ireland**

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**Opening Statement of the Law Society of Ireland to the  
Joint Committee on Justice, Home Affairs and  
Migration on Civil Legal Aid**

17 February 2026

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Good afternoon, I thank the Cathaoirleach and Committee members for the invitation to address the Committee today and share the perspective of the Law Society of Ireland on Civil Legal Aid. I am joined by my colleague Brian Hunt, Director of Policy at the Law Society.

Firstly, everything that we say today must be prefaced by the basic point that the Civil Legal Aid System:

- Is in crisis,
- Is in need of immediate reform.

The required reform cannot happen without proper resourcing and restructuring of the system. This needs to happen immediately.

The changes that are required can and must, in our view, be delivered by the Legal Aid Board in collaboration with the other stakeholders in the system.

The Legal Aid Board is the principal way that civil legal aid is delivered in this country and is staffed by hard-working solicitors and public servants who need to be supported. But the Legal Aid Board must be restructured and resourced.

The Law Society supports the Legal Aid Board and wants to see it have a much greater role in the delivery of civil legal aid, but also a greater role in the strategic overview required to reform the current system. Its staff need to be properly paid at the same level as other public servants.

The Majority Report proposes the creation of two new bodies – a Legal Aid Oversight Body and an Implementation Group. The Law Society believes that these bodies are unnecessary and will detract resources from the Legal Aid Board, while taking away from the Legal Aid Board's ability to lead the necessary reforms and restructuring of civil legal aid.

In short:

- 1) Keep the reform simple,
- 2) Ensure that it is resourced,
- 3) Allow the Legal Aid Board to lead the reforms and support and resource it properly with the support of other stakeholders.

I have been practising in family law for 25 years. On a daily basis, solicitors across Ireland help members of the public to exercise and vindicate their legal rights. In a great many instances, this help and advice is provided under the Civil Legal Aid Scheme to clients of limited economic means. For many people, the Civil Legal Aid Scheme makes the difference between being able to access legal advice and representation, and not being able to secure that advice.

Civil legal aid is a cornerstone of the Irish justice system, directly upholding the constitutional principle of access to justice and the right to an effective legal remedy under Article 47 of the EU Charter of Fundamental Rights.

However, in Ireland, Civil Legal Aid is not funded anywhere near the level that it should be which results in people being denied access to justice on a daily basis.

The Law Society of Ireland has been actively campaigning for the expansion and proper funding of civil legal aid for nearly 50 years, dating back to the seminal Pringle Committee Report of 1977.

In more recent times, the Law Society has contributed to the Independent Review Group, chaired by former Chief Justice Mr Frank Clarke SC with our representative on the Group being Áine Hynes SC. The Law Society is supportive of many of the recommendations contained in both the Majority and Minority Reports.

These recommendations are a step in the right direction towards reform of our civil legal aid system – which, we submit, is in crisis.

The demand for civil legal aid has doubled in the last four years. Waiting times at Law Centres around the country continues to increase. In County Sligo, the wait time for a first consultation is 64 weeks; in Ballymun it is 51 weeks (a 364% increase from 2024).

When Law Centres are overstretched or have long waiting lists, the Legal Aid Board may refer cases to private solicitors through what is known as the Private Practitioner Scheme. The Legal Aid Board refers around half of all applications for legal assistance to the Private Practitioner Scheme. The scheme has been held together by the efforts and dedication of an ever-decreasing number of solicitors who are still willing to take on this work. Fewer and fewer early-career solicitors are choosing to participate in the Private Practitioner Scheme because it is simply not economically sustainable for them to do so. In the absence of significant reforms, the outlook for the Private Practitioner Scheme is bleak and is already fuelling the emergence of legal-aid deserts in many Irish counties.

For reform, the Law Society agrees with a focus on user-centredness, early intervention (including non-court supports), and on public information and education on legal rights. We agree with a new co-ordinated Civil Legal Aid Support System, including merging functions currently undertaken by different bodies.

In our submission to the Committee, we provide seven specific recommendations for reform.

I now briefly outline those:

- 1) The Government must deliver immediate funding to the legal-aid system with a commitment for longer-term increased funding to cope with existing demands, and to ensure that it is in a position to deliver effectively upon its expanding remit into areas such as the introduction of Civil Restraint Orders and the implementation of the EU Migration Pact.
- 2) We reiterate our call that Government must revise the financial eligibility thresholds for legal-aid applicants. This is currently set at €18,000. We would quickly add, however, that any increase in the threshold will be ineffectual unless adequate resources are put in place in the Legal Aid Board to deal with the inevitable additional cases that will arise as a result of any increase.
- 3) Government must adequately resource the Legal Aid Board and ensure that it can take steps to continue to attract solicitors to be part of the Private Practitioner Scheme.
- 4) We are calling on Government to provide adequate funding for expert reports (particularly 'Voice of the Child' reports) under civil legal aid.
- 5) The proposal to establish a Legal Aid Oversight Body seems unnecessary. Government must empower the Legal Aid Board as the appropriate body to devise and deliver reform. Any powers intended for such a body should be allocated to the existing statutory bodies, such as the Legal Aid Board and Citizens Information Board.
- 6) The Government should immediately establish and resource the Mediation Council of Ireland under the Mediation Act 2017 and should seek to foster a far greater use of mediation, as well as other alternatives to court.
- 7) While the proposed removal of the blanket ban on legal aid for quasi-judicial cases is welcome, Government should also reconsider the list of exceptions to legal aid (termed 'designated matters') in the Civil Legal Aid Act 1995 to see if they are still fit for purpose in a reformed system.

Civil legal aid is an integral part of the Irish justice system. It provides legal advice and representation to members of society who would not otherwise be able to avail of it.

The civil legal-aid system is in dire need of reform. The Legal Aid Board may only be able to staff 50% of what is needed to match expected caseloads this year, and the Private Practitioner Scheme is struggling to retain solicitors.

The steps that need to be taken are clear.

What we now need to see is action.