

# JUSTICE MATTERS

## AN UPDATE ON JUSTICE AND LAW REFORM



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(Pic: Shutterstock)



The Four Courts in Dublin

### JUSTICE DENIED: COURT CASES TAKE 1.5 TIMES LONGER IN IRELAND THAN EUROPE

Court cases currently take at least 1.5 times longer than the European average due to persistent under-resourcing and structural inefficiencies.

The ever-growing backlog of cases means many people face long delays in accessing justice.

In its pre-Budget submission, the Law Society highlights that a well-resourced justice system is essential for economic stability, social cohesion, and democratic integrity.

A key recommendation includes urgent investment in courts infrastructure, legal aid, and family-law services to address delays.

The pre-Budget submission also calls for the full restoration of criminal legal-aid fees and reform of the civil legal-aid system to ensure timely support for vulnerable individuals. Further recommendations include:

- Acceleration of the Government-led eConveyancing project to unlock

structural inefficiencies and delays in the process of buying and selling property,

- Measures to safeguard the sustainable delivery of legal services, particularly in rural communities,
- The establishment of the Mediation Council of Ireland, as alternative dispute-resolution mechanisms are usually less costly, less stressful, and faster than going to court.

#### Expanding access

Law Society Director General Mark Garrett says: "The justice system in Ireland has been underfunded for years. A strong and well-funded justice system ensures equal access to justice, supports the economy, and protects democracy.

"It is essential that Government prioritises this in Budget 2026."

### FASTER HOUSING TRANSACTIONS: SOLUTIONS TO SEVEN COMMON DELAYS OUTLINED

Outdated systems and legislation are significantly contributing to delays, additional costs, and stress for those buying and selling homes. Currently the average property sale in Ireland takes between three to six months from listing 'for sale' to completion.

The conveyancing system currently involves more than 15 interdependent parties, ranging from lenders, estate agents, solicitors, local authorities, Tailte Éireann, Revenue, Uisce Éireann, valuers, and surveyors.

A delay at any point can have a knock-on effect – slowing down the process considerably and, in turn, negatively impacting the housing market. To help speed up this process, the Law Society has been working to create a faster and more efficient conveyancing process for all.

As part of this process, the Law Society and the Society of Chartered Surveyors of Ireland have published 'Speed Up Your Property Sale – A Guide to Avoiding the Most Common Delays', which identifies the seven most common delays in the process and provides advice on how to speed up property transactions.

The guide sets out in detail the steps anyone selling a property needs to take, the questions they need to ask, who they need to contact, as well as how long it usually takes and costs.

The Government's stated goal is to reach an eight-week turnaround time for conveyancing transactions. Legislative reform is needed to facilitate this, including legislation to allow for digital statements of truth.

#### ABOUT THE LAW SOCIETY

The Law Society works to support and shape a just and accessible legal system that works for all. It educates, regulates and supports solicitors throughout their career.



#### CONTACT US

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## LEGAL DESERTS PUT LOCAL COMMUNITIES AT RISK

A growing number of towns and counties are at risk of becoming legal deserts, as trainee recruitment in some large counties has stalled. There are no new trainee solicitors in 13 counties, including Cavan, Kerry, Longford, Mayo, and Wexford. Without targeted support, there is a real risk that access to local legal services will decline – or even disappear.

Small legal practices, particularly sole practitioners, play a critical role in delivering accessible, community-based legal services. They are used by individuals and families seeking advice on vital issues such as wills, property, family law, farm law, employment disputes, and small business matters.

The Law Society has responded to this situation with grants and flexible routes to qualification, but more needs to be done at a national level. The SUSI grant should be extended to trainee solicitors studying part-time.

Ensuring that small legal practices have equitable access to the same business supports available to other sectors would have a positive impact. They are often out of scope for business supports provided by Enterprise Ireland and other agencies, leaving them at a disadvantage.



Former Chief Justice Frank Clarke led the review of the Civil Legal Aid Scheme

(Pic: Cian Redmond)

## NEW REVIEW: LEGAL-AID THRESHOLD TOO LOW

The proportion of the population eligible for civil legal aid has fallen greatly since 2006, according to a major review on the country's civil legal-aid system.

Legal aid improves access to justice and provides support for those who cannot afford legal representation.

Senior members of the judiciary have warned that legal aid is only available on restricted grounds, subject to unrealistic means-test thresholds, and provided by an under-resourced and over-stretched Legal Aid Board.

The Government-commissioned review of the Civil Legal Aid Scheme was published during the summer recess. It recommended an immediate increase in the income eligibility threshold from €18,000 to €23,500. The review, which was led by former Chief Justice Frank Clarke, also urged the Department of Justice to examine

the Legal Aid Board's ability to recruit and retain in-house solicitors and sufficient external expertise.

It stated that the fees paid by the Legal Aid Board to private legal professionals for District Court family-law cases had not changed since 2012, having been reduced twice from the amounts set in 2008.

The review, published by the Minister for Justice, Home Affairs and Migration, Jim O'Callaghan, was the first evaluation of the Civil Legal Aid scheme since its introduction in 1979.

The review represents a welcome first step in reforming the much-needed and significantly under-resourced civil-legal aid system in Ireland. While the proposal to increase the income eligibility threshold is positive, a threshold at that low level will mean that many people will remain unable to secure legal advice or representation when they need it.

## DEFENDING DEMOCRACY: NEW LEGAL RESEARCH CENTRE LAUNCHES



Minister for Health Jennifer Carroll MacNeill (pictured), Attorney General Rossa Fanning, and EU Commissioner Michael McGrath attended the launch of the Centre for Justice

(Pic: Cian Redmond)

A new research centre, called the Centre for Justice and Law Reform, has been established by the Law Society.

The centre aims to influence positive change by helping to shape law reform and drive improvements for everyone using the Irish justice system.

It held its inaugural Summer School event during the summer recess. The theme – 'Defending Democracy: Legal Responses to Emerging Threats' – was chosen to reflect the fact that democracy is under attack and is now at risk in

more parts of the world.

Politicians are having to grapple with threats to their personal safety, with the intimidation of politicians a feature in Ireland too.

The event brought together legal experts, senior members of Government, and international analysts in geopolitics and extremism, including former CIA Director John Brennan, and UK Commissioner for Countering Extremism Robin Simcox.