

NATIONAL REPORT

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Civil Legal Aid has been available in Ireland on an administrative basis since 1980. A statutory basis was introduced in the Civil Legal Aid, Act 1995.

Area of work:

The Legal Aid Board provides legal services in relation to civil matters including:

- Divorce
- Judicial Separation
- Custody / Access
- Child Care
- Child Abduction
- Wills / Inheritance
- Negligence
- Personal Injuries

The majority of the Board's work is in family law. (97% court cases and 90% of legal advice cases)

Exclusions:

The following areas are excluded, generally, from the main scheme.

- defamation
- disputes concerning rights and interests over land
- civil matters within the jurisdiction of the District Court (Small claims procedure)
- licensing
- conveyancing
- election petitions
- representation before tribunals

Structure:

The Board is committed to providing legal services through a network of law centres dispersed geographically throughout the country staffed by salaried solicitors and support staff.

The Board has over the past number of years introduced a greater level of participation of private practitioners in the scheme.

The Board has an agreement with the Incorporated Law Society of Ireland and the Bar Council of Ireland in this regard.

Refugee Legal Service

The Board established the Refugee Legal Service, as a separate service, in February 1999 to provide legal aid to asylum seekers.

This includes advice and assistance in relation to all first instance applications for asylum and representation before the Refugee Appeals Tribunal.

Ministerial Orders were passed in April and August 1999 extending the Board's jurisdiction so as to allow for representation before the Appeals Tribunal.

New Developments:

The Board has reached agreement with the Department of Justice, Equality, and Law Reform for the Board to take over the management and administration of Criminal Legal Aid system.

Discussions have also taken place with Department in relation to the possibility of providing legal aid for Mental Health Tribunals. The legislation in this regard is still in draft form; no final decision has been made at this stage.

Increased scale of activities:

Grant-in-aid: £0.49m or €0.6223m in 1980 - €17.075m in 2003

Refugee grant-in-aid: £1m or €1.27m in 1999 - €8.884m in 2003

Staffing numbers: 46 in 1980 - total sanctioned staff in 2003 was 412

Number of law centres: 7 in 1980 - 34 in 2003 (including 4 for RLS)