

Free Legal Advice Centres (FLAC)

UPR Factsheet 6: Protections for Victims of Domestic Violence in Ireland

FLAC is an independent human rights organisation based in Dublin, Ireland which is dedicated to the realisation of equal access to justice for all.

We promote the use of law as a tool for social change and the right of equal access to justice, with a focus on economic, social and cultural rights and on protecting marginalised and disadvantaged groups. To this end we formulate policy and law reform proposals, principally in our core areas of social welfare law, personal debt law, consumer credit law and civil legal aid. As an Independent Law Centre, we take a small number of public interest cases each year. We advance the use of law in the public interest, particularly through our [PILA project](#). Finally, we deliver confidential and free basic legal information and advice to the public, both directly and in cooperation with key partners.

1. Civil Legal Aid for Victims of Domestic Violence

Victims of domestic violence with a low disposable income can apply to the state-funded civil legal aid scheme for legal representation. Legal representation, or legal aid, in civil cases is vitally important for victims of domestic violence seeking court protection from a perpetrator, such as through a safety or barring order.

In 2013, the Legal Aid Board, which is the statutory body responsible for the administration of the civil legal aid scheme, increased the minimum financial contribution for legal aid by 160%. This action has had a disproportionate impact on lower income and vulnerable groups. FLAC is particularly concerned at the impact of this measure on victims of domestic violence who are often in urgent need of legal services but may not have the financial resources to pay the increased fee for legal representation. Victims of domestic violence may also need to make recurring applications for legal aid, which can be very costly for them.

Organisations working with victims of domestic violence have stated that the current charges for legal representation provided by the Legal Aid Board puts legal assistance out of reach for most women availing of their services, in particular for those reliant on social welfare payments. As a result, FLAC is concerned that victims of domestic violence may have avoided, or may be avoiding, the legal aid scheme for financial reasons, forcing them to remain in violent situations.

In July 2015, the UN Committee on Economic, Social and Cultural Rights expressed concern regarding the insufficient support services for victims of domestic violence and recommended that Ireland strengthen support services, including legal aid, for such victims. The call to improve support services for victims of domestic violence was also voiced by the UN Committee against Torture in June 2011.

Recommendation:

- 1.1 End the requirement for victims of domestic violence to make financial contributions for state-funded legal services provided by the Legal Aid Board.*