**Introduction**

Men’s Aid Ireland provide a national service underpinned by a victim centric and human rights proofed approach aimed at ensuring all male victims of Domestic Violence / Coercive Control (DV/CC) receive the required support to be safe.

Men’s Aid support those victims who, from a gender perspective, primarily identify as male, including non-binary, intersex and transgender men within its support and services provision. However, it also acknowledges its responsibility to support all victims of domestic violence / coercive control and will provide ‘support to report’ for any victim, irrespective of gender, by referral to the most relevant of our civil society partners, with the informed consent of the victim.

Unfortunately, no National Data Base in this area means that no figures for actual male victims of DV/CC are available at this time.

* Research in this area shows that in 2005 Sarah Parsons and Dorothy Watkins in their survey of domestic violence found that

“*while the risk to women is higher, domestic abuse is something that also affects a significant number of men. The survey suggests that in the region of 213,000 women and 88,000 men in Ireland have been severely abused by a partner”.* This equates to approx. 1 in 3 male victims.

In 2019 Sinead Conneely, Roisin O’Shea and Shane Dempsey observed low figures of engagement with the Legal system (Dolphin House). They found just under 8% of males made applications for protective orders.

These Figures while at this stage are dated show poor take up with the Civil and Criminal process, just over 90% of male victims not engaging with the process.

We know that where and when male victims disclose DV/CC that such disclosures will be along a spectrum of possible crime categories including coercive controlling behaviours to serious Assaults/endangerment /Sexual assaults.

We also know that disclosure is achievable when Victims are supported in accordance with the current EU directive (2012/29/EU) and Irish Law, The Criminal Justice (Victims of Crime) Act 2017, and Strategy (A safe, fair and inclusive Ireland 21-23) / Charter for Victims of Crime – “Support to Report” (Government of Ireland).

Men’s Aid appreciate the opportunity to submit views but do so in the context of a lack of real current insights into engagement with the Civil Justice and Criminal Justice system by the male victim. As a consequence, any engagement by the male victim in Legal Aid process is also unclear. That said figures extrapolated from Men’s Aid in 2022 (from 1st Jan to time of writing) tend to indicate that 3932 male victims engaged with Men’s Aid and 340 (8%) spoke about engaging with a Solicitor/ Legal Aid following their connection with Men’s Aid.

This, whilst still a low percentage is we ( Men’s Aid ) believe to be encouraging and maybe attributed to the excellent ongoing efforts by the Legal Aid Board to work in Collaboration with service users in accordance with its current 3 year strategy (Legal Aid Statement of Strategy 21-23 )The most notable example being its (Legal Aid) work with the various statutory and Non-Statutory services at Dolphin House Family Law Courts in Dublin where all services are uniquely available to the Victim in the one setting i.e. Dublin Family Law Courts.

Men’s Aid thank you for your invitation to participate in this consultation. We view this as important and most positive with particular regard to the committed endeavors of the Legal Aid Board to reach out to all victims including the harder to reach victims and those of insufficient means.

We have taken care and had regard to the need to exercise caution not to identify any parties and be respectful to privacy. We are aware that submissions may be subject to disclosure via FOI.

The following comments are made in answer to the issues posed within the consultation request:

Announcing the review, Minister McEntee said:

"Since the Civil Legal Aid Scheme was first established over 40 years ago, Irish society has changed and the demands on the Scheme have grown.

"To provide maximum benefit to the people it was established to serve, within the finite resources available to fund legal aid, I believe that a robust, comprehensive review of the Scheme as committed to in Justice Plan 2022 is an important step.

"The review will allow for an assessment of how well access to justice is facilitated by our Civil Legal Aid Scheme, particularly for those on low incomes. The Review Group will make recommendations for its future, including in relation to eligibility."

Our comments are based on practitioners’ feedback within Men’s Aid, in particular commentary from Male Victims engaging with our services.

The general overarching comment is of an ‘excellent ‘service approach by Legal Aid front line staff at the various points of interaction, e.g. Legal Aid offices and or the Courts.

The issues raised which might be of assistance in this review are primarily around Finance and the sometimes difficulties around having to engage in the process of application several times as a consequence of being involved in different proceedings. Furthermore from time to time male victims also advise of difficulty in connecting and having engagement with assigned/nominated solicitors in their respective cases.

**Finance**

Men’s Aid recommend that consideration be given to reviewing current practices for determining a persons means having particular regard to the impact of Domestic Violence/ Coercive Control. Many Male victims face associated difficulties which may include – dealing with the impact of costs as result of attending for medical treatment / the impact of economic abuse / finding suitable living (safe) accommodation /other legal fees e.g., divorce /separation /travel in connection with access. Separation and the associated day to day living costs may be a real consequence in many cases which are complex yet intrinsically linked to the need to be safe.

**Multiple applications.**

Men’s Aid recommend that consideration be given to ameliorating the potential need to make several separate applications for Legal Aid which may in turn require the engagement and consultation with a number of solicitors. A situation as it currently stands might present whereby a victim may have to make 5 separate application:

**1** – Participating in a safety / barring application.

**2** – Attending at the criminal courts in regard to an alleged breach of an order under The Domestic Violence Act 2017.

**3** – Appealing an Order or seeking extension of time to appeal an order (Domestic Violence Act 2017.)

**4** – Seeking an order around Custody / Access / Guardianship and

**5** – Pursuing Divorce / separation proceedings.

Along with the financial and administrative burdens is the potential negative impact on the applicant who may well be a victim and it could be argued (respectfully) is not being afforded his/ her rights in accordance with the Criminal Justice (Victims of Crime) Act 2017 in that it could be argued are the further victim of secondary victimization (section 2 Criminal Justice (Victims of Crime) act 2017.

**Engagement with solicitor**

Male victims engaging with our service advise that from time-to-time difficulties may arise in connecting with assigned or nominated solicitors. This of course maybe attributed to an overburdened system. The outcome for the service user (victim) can be one of frustration/ lack of confidence in the system/not having a voice in the process. Men’s Aid recommend that the Legal Aid Board (respectfully) consider a suitable means for inviting feedback to bring about an even further enhanced criminal/civil system that ensures that the needs of the victim are more fully met.

In conclusion Men’s Aid are appreciative of the opportunity to make this submission and wish the Legal Aid Board every success in its endeavors.

**ENDS.**