

GRIFFITH COLLEGE

**Submission by Griffith College in accordance with
Section 6 of the Legal Services Regulation Act 2015**

Table of Contents

Background to Submission

Introduction to Griffith College

Qualification as a Solicitor or Barrister in Ireland

- Qualifying as a Solicitor
- Qualifying as a Barrister

Qualification as a Solicitor or Barrister in England and Wales

- Qualifying as a Solicitor
- Qualifying as a Barrister

Submissions

- Submission One
- Submission Two
- Submission Three
- Submission Four

Conclusion

Appendix I

Appendix II

Background to Submission

Section 6(1) of the Legal Services Regulation Act, 2015 requires the Legal Services Regulation Authority (LSRA) to commence a review of the operation of the Legal Services Regulation Act 2015 no later than eighteen months after the establishment day and to make a report within twelve months to each House of the Oireachtas of its findings, including under section 6(1)(b), such recommendations to the Minister for Justice and Equality as the LSRA considers appropriate.

A consultation notice was circulated by the LSRA seeking the views of stakeholders and other interested parties on the operation of the Act.

Introduction to Griffith College

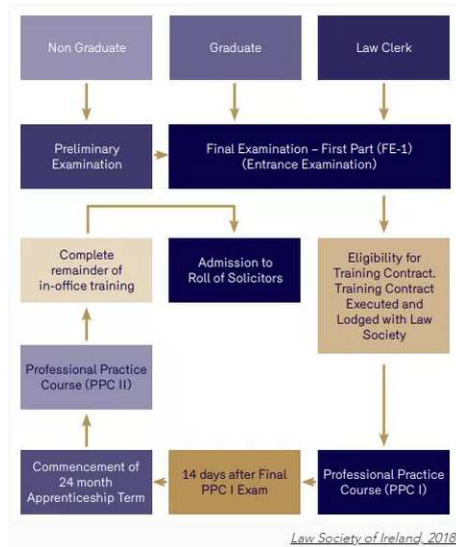
Griffith College Dublin (originally Business and Accountancy Training) was established in 1973 and commenced its residency at the historic Griffith Barracks on the South Circular Road in 1991.

Griffith College is now Ireland's largest private college with 7,000 students from Ireland and across the world.

The Faculty of Law and Professional Law School were established in 1995 and have grown significantly, providing a wide and dynamic range of academic and professional programmes in law. Over the past twenty three years, the Faculty of Law and Professional Law School at Griffith College have grown, both in annual student numbers and also in the number of programmes available on both the Dublin and Cork campuses. The Faculty of Law at Griffith College offers students a wide range of legal programmes from certificate (QQI Level 6, NFQ) to LL.M. (QQI Level 9, NFQ). In addition to which the Professional Law School offers preparation programmes for the Law Society of Ireland Final Examinations Part 1 and The Honorable Society of Kings Inns Entrance Examinations.

Qualification as a Solicitor or Barrister in Ireland

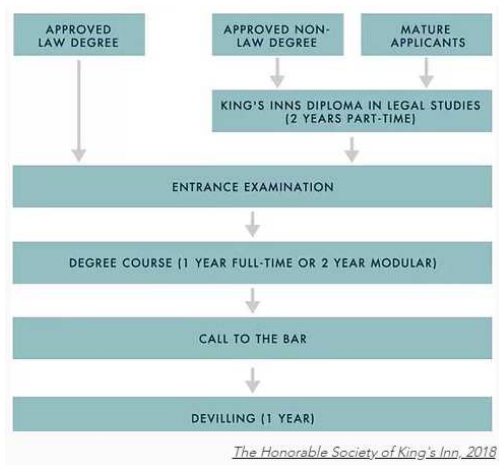
Qualifying as a Solicitor



The Law Society of Ireland is the body that provides education and training for those wishing to become solicitors. It runs the Professional Practice courses, the only professional practice course for solicitors in the Republic of Ireland.

The current pathways to qualification as a solicitor in Ireland allow law graduates, non-law graduates and law clerks progress through (as applicable) the Preliminary Examinations, Final Examination, Part 1, Professional Practice Course 1, Professional Practice Course 2 and In-office training (see Appendix II, PPC I and PPC II Information). All those wishing to apply for the Professional Practice Course 1 must successfully complete the Final Examinations Part 1 (comprising eight examinations) in addition to securing a training contract.

Qualifying as a Barrister



The Honorable Society of King's Inns is the body that provides education and training for those wishing to become barristers. It runs the Barrister-at-Law degree, the only professional practice course for barristers in the Republic of Ireland.

The pathways to qualification as a barrister in Ireland are open to individuals who hold an approved law degree, holders of an approved postgraduate diploma or holders of the Kings Inns Diploma in Legal Studies. Entry to the Kings Inns Barrister-at-Law Degree requires the successful completion of the Kings Inns Entrance Examinations after which applicants complete the Degree of Barrister-at-Law followed by a period of apprenticeship.

The common features of both qualification process (solicitor and barrister) are the academic, vocational and apprenticeship stages. In addition to which, the qualification process in respect of each profession is currently managed by one body, in the case of solicitors, the Law Society of Ireland, and barristers, The Honorable Society of Kings Inns.

The King's Inns Barrister-at-Law professional vocational degree course (see Appendix I, Barrister at Law syllabus) is aimed at enabling students to acquire the skills, knowledge and values required in order to be fit to practise at the Bar. The Law Society of Ireland's PPC courses are practice-oriented and instruction is given mainly by practising solicitors and Law Society staff.

Qualification as a Solicitor or Barrister in England and Wales

Qualifying as a Solicitor

Our nearest comparator, England and Wales, has two key stages to qualifying as a solicitor, the academic stage and the vocational stage which includes a period of recognised training.

Similar to Ireland, there are a number of pathways through which someone can complete the academic stage, namely by completing a qualifying law degree at a UK university or a degree in a different subject followed by a conversion course or through the Chartered Institute of Legal Executives (CILEx) route.

There is, however, also another route for those pursuing the career of solicitor in England and Wales, Equivalent means, allows the Solicitors Regulation Authority (SRA) to recognise the knowledge, skills outcomes and standards which may have been achieved through other assessed and work-based learning. In these cases, the SRA may grant exemption from all or part of the academic or vocational stages.

The vocational stage includes a Legal Practice Course, a period of recognised training and a Professional Skills Course.

Unlike Ireland, there are a number of colleges and universities across England and Wales offering the Legal Practice Course. However, as and from autumn 2020, the Solicitor's Regulation Authority will introduce a new examination that all prospective solicitors will need to pass in order to qualify. This examination will replace the current system and the new assessment aims to ensure that everyone will meet the same standard at the time of qualification.

Qualifying as a Barrister

The route to qualification as a barrister in England and Wales does not greatly differ from that in Ireland and is open to both law graduates and non-law graduates, with non-law graduates required to complete a Law Conversion Course (Graduate Diploma in Law) before commencing the vocational stage. Applicants are required to complete the Bar Course Aptitude Test before joining an Inn of Court and completing the Bar Professional Training Course prior to being called to the Bar by an Inn of Court and completing twelve months pupillage. Upon meeting the requirements in the Professional Statement for Barristers, an individual is deemed to qualify and can apply to the BSB for a practising certificate.

Submissions

Submission One

The current pathways provide opportunities for a wide range of entrants with a variety of transferrable, prior learning and experiential learning to join the legal profession. These pathways are structured to ensure that all entrants to King's Inns and the Law Society of Ireland have successfully completed, at a minimum, the entrance examinations relevant to their vocational training. The requirement that all entrants to each body successfully complete the same entrance examinations ensures that a basic primary knowledge and understanding exists, independent of the route the entrant pursued prior to entry.

However, a key difference between the route to becoming a solicitor and barrister exists in respect the requirement at The Honorable Society of Kings Inns that non-law graduates are required to complete legal academic studies prior to applying to sit the entrance examinations. The Honorable Society of Kings Inns requires non-law graduates to complete a recognised postgraduate programme in legal studies or the Kings Inns Diploma in Legal Studies in advance of the entrance examinations. In comparison, the Law Society of Ireland require all entrants to complete the Final Examinations Part 1. However, there is no requirement for non-law graduate applicants to secure legal academic training. Similarly, in England and Wales, someone with a degree in a different subject is required to complete a conversion course.

Submission One: Non-law graduates seeking entry to vocational training and apprenticeship to qualify as solicitors must complete formal academic studies (Diploma in Legal Studies) prior to sitting the Final Examinations Part 1, similar to the approach adopted by The Honorable Society of Kings Inns and Solicitors Regulation Authority in England and Wales.

Submission Two

The vocational and apprenticeship stages of the qualification process for solicitors and barristers is currently provided by Law Society of Ireland and The Honorable Society of King's Inns respectively.

The programmes currently provided by both bodies provide students with a balance between vocational training (Professional Practice Courses and Degree of Barrister at Law) and hands on experiential learning (traineeships/pupillage('deviling')/apprenticeships). Albeit the pupillage stage for a barrister in Ireland occurs after graduation from the King's Inns, the vocational and apprenticeship training of both bodies enable students to acquire the practical and transferrable skills, knowledge and values required in order to practice as either solicitors or barristers.

Submission Two: Broaden the vocational and apprenticeship stages to allow other educational bodies to provide the relevant training (vocational) and experiential oversight (apprenticeships). This would provide alternate opportunities for entrants with regard location of training particularly those outside Dublin. Competition in the training of legal professionals would also result in increased efficiency and a review of tuition fees. In addition, the introduction of more providers in the legal professional training market would result in new formats of training and increased delivery options being made available.

Submission Three

There are currently a number of colleges and universities across England and Wales, who previously facilitated assessment on an individual basis. However, as and from Autumn 2020, the Solicitor's Regulation Authority will introduce a new examination that all prospective solicitors in England Wales will need to pass in order to qualify. This examination will replace

the current system and the new assessment aims to ensure that everyone will meet the same standard at the time of qualification.

Submission Three: That all prospective solicitors and barristers would be required to pass centrally prepared and graded final assessments in order to qualify. This would ensure that all new entrants to the profession would meet the same high standard at the time of qualification.

Submission Four

All those wishing to enter vocational training and apprenticeship to join the Roll of Solicitors must successfully complete the Final Examinations Part 1 (comprising eight examinations).

Entry to Kings Inns Barrister at Law Degree which is followed by a period of apprenticeship, requires the successful completion of the Kings Inns Entrance Examinations (comprising five examinations).

Submission Four: That all entrants to vocational training and apprenticeships for both professions be required to successfully sit entrance examinations (similar to current Final Examinations Part 1 and Kings Inns Entrance examinations), which are centrally prepared and graded in order to ensure consistency.

Conclusion

Entry to the legal profession in Ireland is currently facilitated and regulated by The Law Society of Ireland and The Honorable Society of King's Inns who are responsible for the training of solicitors and barristers respectively. This results in both bodies having sole control over the location and format of that training. As outlined above jurisdictions such as England and Wales have introduced the opportunity for other educational bodies to provide training for solicitors and barristers, and are currently enhancing their training process through the introduction of common final examinations.

As outlined in the Competition Authority Report on Competition in Legal Services in December 2006,

“competition between solicitor and barrister training schools will drive efficiency in the market and push course fees to competitive levels. This reform will ensure that an appropriate number of training places are available to match demand for legal services and that competition in legal services is not restrained.”

APPENDIX I

Barrister at Law Syllabus

As per <https://www.kingsinns.ie/prospective-students/barristeratlaw-degree>

The syllabus covers the following subjects and activities:

1. Remedies and Quantum
2. Practice and Procedure:
 - Civil Practice and Procedure
 - Criminal Practice and Procedure
 - Evidence
3. Legal Skills:
 - Advocacy
 - Alternative Dispute Resolution
 - Consultation
 - Opinion Writing
 - Drafting
 - Legal Research
4. Ethics, Professional Responsibility and Practice Management
5. Participation in Mock Trials
6. Attendance at Courts, Tribunals and Other Specialist Bodies
7. Advanced Study of Specialised Areas of Practice (students have a choice of subjects from which they must choose two)

Options currently available include:

Employment Law; Company Law Litigation; Immigration & Asylum; Family Law; Landlord & Tenant and Conveyancing; Planning & Environmental Law; Advanced Irish; Alternative Dispute Resolution.

Throughout the course, teaching and learning focus on what happens in practice. The programme is demanding with extensive preparation required in advance of each class. Classes are taught almost exclusively in groups of sixteen with the emphasis on student exercises and group work based on realistic case papers. To prepare students fully for practice, King's Inns focus on providing high levels of face-to-face tuition. Nothing is a substitute for personal

guidance from professionals so we ensure that students put the knowledge gained regularly into practice under expert supervision. During the mock trials all students take part in a civil and criminal trial. These trials are heard in the Four Courts and in the Criminal Courts of Justice with members of the judiciary or senior counsel acting as judges. Students are given numerous opportunities to practise and receive feedback in the workshops and are expected to participate in all classes.

Attendance is compulsory and is strictly monitored. As the aim of the course is to enable students to acquire the skills, knowledge and values required in order to be fit to practise at the Bar it is imperative that students upon graduating have the requisite competence. Students who undertake the course have a duty not only to themselves, but to the justice system as a whole, to their Pupil Masters and to their future clients. In order to successfully complete the course a student must have attended at least 90% of all classes. The course is delivered solely by qualified barristers from practice.

Irish: Legal Practitioners (Irish Language) Act 2008 – Under the provisions of the legal Practitioners (Irish language) Act 2008, all students on the Barrister-at-Law degree course must undertake a compulsory course in Irish legal terminology and the understanding of legal texts. There is no accompanying examination or assessment to this course but attendance is compulsory.

APPENDIX II

Professional Practice Course I and II Information

As per <https://www.lawsociety.ie/Trainees/PPC-Courses/>

PPC I

Eligible applicants for PPC I must have:

- Passed, or gained exemption from the Preliminary Examination
- Passed the Final Examination - First Part
- Found a suitable (practising) solicitor to act as a training solicitor

The following are the subjects covered on the PPC I:

- Foundation Course
- Applied Land Law
- Probate & Tax
- Business Law
- Litigation (Civil & Criminal)
- Legal Practice Irish (LPI)
- Skills - Civil & Criminal Advocacy, Interviewing & Advising, Legal Research, Legal Presentation Skills, Legal Writing & Drafting, Negotiation & Professional Development.

Training contract commences 14 days after the final examination on PPC I.

PPC II

Before you can be admitted onto the PPC II course you must have been declared by the Education Committee to have passed your PPC I. Where you have not passed the PPC I, you continue training in your office. Once you have passed the PPC I repeat, generally held in the autumn, you can apply to be admitted to the following year's PPC II course.

After 11 months into the 24-month training period, you return to the Law School to attend PPC II. PPC II runs for 11 weeks, inclusive of examinations.

PPC II consists of four compulsory modules and three elective modules.

Having completed PPC II, you must return to the office of the training solicitor and complete the outstanding period of time - ten months if the trainee has not gained credit for work done prior to PPC I, or six months if credit has been obtained.