

**Submission to the Legal Services Regulatory Authority on Education and Training  
Arrangements in Ireland for Legal Practitioners**

**by**

***The Honorable Society of King's Inns***

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## **1. Introduction**

The Honorable Society of King's Inns ("King's Inns" / "the Society") is pleased to make this submission to the Legal Services Regulatory Authority ("the Authority") on education and training arrangements in Ireland for legal practitioners. This submission is made in response to the invitation for submissions issued by the Authority pursuant to section 34(1)(a) of the Legal Services Regulation Act 2015, in advance of the Authority furnishing a report to the Minister for Justice and Equality ("the Minister").

The core function of King's Inns is the education and training of prospective barristers in Ireland. Education of future members of the profession was the reason why the Society was established in 1541 and has been our principal activity ever since.

The Society's view is that the education and training of prospective barristers involves two distinct phases: an academic or substantive law phase ("the academic phase") and a professional vocational training phase ("the professional phase"). These should be separate phases and organised so as to avoid, to the greatest extent possible, duplication between them. This approach was adopted by King's Inns following a comprehensive review of the education and training of prospective barristers, which included a comparative study of the state of the art methods of education and training of advocates throughout the common law world.<sup>1</sup>

The Society's primary focus is on the professional phase. While the Society does offer an academic course in substantive law – the Diploma in Legal Studies – this is only one of many courses available in the marketplace for the provision of the academic phase. Many providers, including universities, institutes of technology, private colleges and the Society itself, have the skills, experience and capability to design and deliver effective courses in the academic phase.

By contrast, in this submission, the Society intends to demonstrate that it is best placed to properly and effectively provide education and training for prospective barristers in the

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<sup>1</sup> This review was conducted by an expert Working Group chaired by Mr Dermot Gleeson SC.

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professional phase having regard to the particular demands of practice as a barrister in Ireland, as compared with the skills required of other legal professionals.

Part 2 of this submission contains an Executive Summary.

In part 3 of this submission, the Society outlines the manner in which the professional phase for the education and training of prospective barristers is delivered leading to admission to the degree of Barrister-at-Law. Part 3 of the submission also specifically addresses the matters outlined by the Authority under headings (a) to (f) of the invitation for submissions to this consultation process. In particular, it explains how the professional phase delivered by King's Inns supports and promotes the values of integrity, independence and excellence, which are vital to practising as a barrister and to the administration of justice.

The submission further outlines how the Society is uniquely placed to provide the professional phase of barristers' education which builds on the previously acquired substantive law knowledge in the academic phase and develops the necessary and fundamental attributes that consumers of legal services are entitled to expect of barristers: outstanding written and oral advocacy skills, highly developed analytical and evaluative skills and in-depth knowledge and expertise in both substantive law and procedure.

Part 4 of the submission gives an overview of the other aspects of education and training delivered by the Society, including promoting access to legal professional education for those who do not hold a third level academic law qualification. Part 4 also outlines the unique way in which the Society contributes to the provision of legal education and training through the Irish language.

Part 5 of the submission addresses the means by which the Society promotes and supports diversity and open access to legal education and training.

Part 6 addresses the role played by the Society in facilitating ease of transfer from the solicitors' profession to the barristers' profession, as well as transfers by legal practitioners from other jurisdictions.

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The Society believes that consumers of legal services rightly expect barristers to be experts in navigating litigation and legal issues. The Society strongly believes that the education and training it provides equips barristers with that expertise and so protects the interests of the consumer and encourages an independent and effective profession.

King's Inns looks forward to continuing to engage with the Authority on these vital issues as it prepares its report to the Minister. The Society will continue to make itself available to the Authority to provide whatever further information or assistance it may require in completing its important work.

## **2. Executive summary**

- There are two distinct phases to legal education: the academic phase and the professional phase. This two stage process is considered as a standard of international best practice for the education and training of advocates and is essential to ensure that any barrister providing legal services has the requisite knowledge base and skills training. King's Inns ensures that both of these phases have been completed successfully by anyone called to the Bar in Ireland via its entry requirements and the delivery of the professional phase, which are both considered in Part 3 of this document.
- The core function of King's Inns is the education and training of prospective barristers in the professional phase, which it delivers through the provision of the Barrister-at-Law degree course ("the professional course"). This course is delivered to the highest possible standards by a dedicated team of professionals with extensive experience of legal practice as barristers.
- The common-law vests the power to admit a person to the degree of Barrister-at-Law in the Benchers of King's Inns. The Benchers are comprised of all judges of the Superior Courts and a number of elected practising barristers. The exercise of this common-law power leads to the person being entitled to be called to the Bar by the Chief Justice and thereby admitted to practice as barrister before all courts in Ireland. This places a responsibility on the Benchers to be satisfied that a candidate being admitted to the degree of Barrister-at-Law is fit and ready to practise and to exercise the vital role in the administration of justice played by barristers.
- Education and training at King's Inns is practitioner led as it is delivered almost entirely by practising barristers. King's Inns also draws upon the knowledge and expertise of the most experienced and respected members of the profession and from the judiciary.
- Skills teaching is designed to ensure that students develop, to a competent professional standard, advocacy and other skills that are the hallmark of professional practice as a barrister.
- Course fees for the professional course compare very favourably to those applicable to education and training for other professions. King's Inns is registered with the Charities Regulator and does not make a profit from the provision of the professional

course nor does it seek to do so. King's Inns has a number of scholarships and bursaries in place to assist in enabling access to legal education and training for prospective barristers. Fees on the Diploma in Legal Studies and on the professional course have not increased since 2009.

- King's Inns also participates in the academic phase of legal education and training through the provision of the Diploma in Legal Studies. This is a unique course within the legal education marketplace as it is open both to those holding a third level qualification in a discipline other than law and to applicants with no previous third level qualification. This facilitates access to legal education and training by a wider section of the community.
- Through the provision of both the Diploma in Legal Studies and the Modular version of the professional course, both of which are delivered on a part-time basis, it is possible for a prospective barrister to complete both the academic phase and the professional phase of their legal education and training while engaging in full-time employment. This enables access to qualification as a legal practitioner by a much wider pool of candidates than if the education and training were only available on a full-time basis.
- A critical mass of students is required to properly deliver and examine the professional phase of legal education and training. King's Inns has that critical mass. All applicants who meet the minimum eligibility requirements and who pass the King's Inns Entrance Examination ("the Entrance Examination") receive a place on the professional course. There is no unmet demand in the market for professional training for prospective barristers nor is there any artificial or arbitrary cap on numbers. Everyone who successfully completes the professional phase and who is admitted to the degree of Barrister-at-Law is eligible to be called to the Bar and to exercise a full right of audience before all courts. There is no restriction or limitation on obtaining pupillage (devilling) in Ireland. Unlike in other jurisdictions, everyone who wishes to obtain a master and undertake pupillage is able to do so.
- King's Inns plays an important and unique role in the provision of legal education and training through the Irish language. This assists in ensuring that those wishing to exercise their constitutional right of access to the courts through the Irish language are able to do so. It also contributes to the achievement of objectives set by Government to increase the number of Irish nationals working within European Union institutions,

which is particularly important for the representation of the common-law position within the EU post-Brexit.

- King's Inns exercises important functions in relation to transfers to the barristers' profession from solicitors and, under EU law, from legal practitioners in other jurisdictions. These are outlined in detail in part 6 of this document.



### **3. The professional phase of training for prospective barristers – The Barrister-at-Law degree course**

#### *3.1 Introduction to the professional course*

The core function of King's Inns is the provision of the professional phase of legal education and training for prospective barristers. This core function is achieved through verifying that all prospective barristers have the requisite knowledge of substantive law acquired during the academic phase and by the provision of the professional, vocational course which has been carefully designed for that purpose: the Barrister-at-Law degree course ("the professional course").

Following successful completion of all of the elements of the professional course, the student is admitted by the Benchers of the Society to the degree of Barrister-at-Law. Admission to the degree confers the professional status of barrister rather than an academic qualification.

At common law, a person admitted as a barrister by the Benchers of King's Inns to the Degree of Barrister-at-Law is then entitled to be called to the Bar by the Chief Justice. The call to the Bar by the Chief Justice grants that person a right of audience as a barrister before all courts in Ireland.

The fact that admission to the degree of Barrister-at-Law leads to the entitlement to be called to the Bar and to practise immediately before the courts makes it vitally important that all persons admitted have achieved the appropriate standards in terms of legal knowledge and skills. Furthermore, admission to practise as a barrister entails significant ethical responsibilities; therefore it is critical that the public can have confidence in the probity and competence of anyone so admitted.

The professional course content, learning outcomes, teaching methodology and methods of assessment are all designed to instil and test the development of professional skills. In this regard, the professional course is substantially different from third level and postgraduate academic legal courses in almost every respect.

By the end of the professional course, all students should, at a minimum, be able to demonstrate the following:

- Knowledge of substantive law: as will be clear from the substance of this document, King's Inns does not as part of the professional course engage in the re-teaching of substantive law, but rather requires any person seeking to be admitted as a student on the professional course to demonstrate a minimum level of competency as regards substantive law, demonstrated by holding an approved law qualification and passing the Entrance Examination;
- A proven ability across all of the key legal skills required of any qualified barrister, including the highest standards in advocacy;
- A knowledge of, and ability to apply, appropriate ethical standards in order to act fearlessly in the best interests of clients while supporting and maintaining the proper administration of justice in the State;
- An understanding of and commitment to the independence, ethos and integrity of the bar (whether practising or non-practising).

### *3.2 Entrance Examination*

Any consumer seeking the services of a barrister will inevitably expect that barrister to display the appropriate professional level of legal skills and an expert knowledge of the law. Because the professional course is focused on skills teaching, all of those seeking to be admitted to study on the course must demonstrate certain minimum criteria in their knowledge of substantive law. This is achieved by means of the combined requirement that any prospective candidate for the professional course must hold an approved qualification in substantive law and must pass the King's Inns Entrance Examination in five subjects.

Given the multiplicity of providers of the academic phase, the Society is of the view that it is essential to have an objective means of assessing the substantive law knowledge of prospective students prior to them proceeding to the professional phase. The Society achieves this by means of an Entrance Examination which is set and corrected by external examiners. This is considered by the Society to be the fairest means of assessing that prospective students have the requisite knowledge of substantive law to undertake the

professional course. It ensures that all prospective students on the professional course are assessed as having a minimum threshold level of knowledge in substantive law. Furthermore, the Entrance Examination also tests the ability of prospective students to identify relevant legal issues in a factual problem scenario, which is a skill required of practising barristers on a daily basis.

The Society has considered alternative means of fairly assessing competency for entry to the professional course. One such method would be to require prospective students to have achieved a particular standard in their examination results from their previous substantive law qualification. Given the variety of ways in which third level institutions assess students, including through the increasing reliance on take-home and open-book assessments, it is difficult to arrive at a fair conclusion on the substantive legal knowledge of a student based solely on third level examination results. Moreover, having regard to the evolving nature of substantive law, it is important to ensure that a student, who may have obtained a recognised academic qualification some years prior to seeking admission to the professional course has an up to date knowledge of the law.

Given that the professional course does not engage in the re-teaching of substantive law principles, it is necessary to assess the knowledge of a prospective student prior to their admission to the professional course as it would be unfair to a student to allow them to enrol on the course in circumstances where they would not have the threshold knowledge that they require to successfully participate in and complete that course.

King's Inns has kept the format and content of the Entrance Examination under review since its inception. For example, following feedback from tutors on the professional course, Contract Law was made an Entrance Examination subject in place of Company Law.

To be eligible to sit the Entrance Examination, a candidate must hold an approved academic qualification in substantive law ("approved qualification"). An approved qualification must include the following six core subjects:

- Land Law (including the Law of Succession);
- Equity and the Law of Trusts;
- Jurisprudence;
- Company Law;

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- Law of the European Union; and
- Administrative Law.

The Accreditation Board, which is a committee of the Council of King's Inns, considers applications from third level institutions for recognition of a particular degree as an approved qualification.

Approved qualifications are typically third level (or postgraduate) degrees in substantive law, the focus of which is wholly or mainly on Irish law. The Accreditation Board examines items such as: course content and delivery; teaching methodology; qualifications of teaching staff; external examiners; and the online and physical resources (including library resources) that are available to students.

The purpose of the accreditation process is to ensure that anyone deemed eligible to sit the Entrance Examination on foot of a qualification in substantive law has obtained a qualification of appropriate depth and quality. It also gives all prospective students credit for their prior learning.

There are currently 74 approved qualifications from a very broad range of institutions, including the main universities and institutes of technology on the island of Ireland, and the King's Inns Diploma in Legal Studies, which is a popular route of entry for persons who did not study law at university.

The Entrance Examination takes place each year in August over the course of one week and comprises a written assessment of the following five subjects:

- Law of Torts;
- Contract Law;
- Law of Evidence;
- Constitutional Law; and
- Criminal Law.

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These five subjects are chosen on the basis that they represent vital areas law that regularly occur in practice and knowledge of which any consumer of legal services would expect of a barrister.

Each examination takes the form of a written three-hour examination. The pass mark in the assessments is 50% and each examination contains one compulsory question which is worth 50% of the marks and which typically requires a candidate to demonstrate expertise across a range of topics within the subject area.

In order to preserve the integrity of the process and to ensure fairness in respect of all candidates, the Entrance Examination syllabi and examination papers are set by examiners who are external to King's Inns, in the sense that they are not teachers or internal examiners on other courses at King's Inns. Each subject has a primary examiner and a second examiner. The primary examiners are typically academics from a range of Irish universities, some of whom are also qualified as barristers. The second examiners are frequently senior judges or senior legal practitioners with significant expertise of the subject areas.

The examinations are problem-based in terms of emphasis. Students are not required to make academic arguments or to focus on academic commentary. Instead, they must be able to identify legal issues arising in the questions, explain the relevant law clearly and concisely under time pressured conditions and apply that law to the facts of the problem. This approach also tests their ability to participate in the professional course.

The Entrance Examination is marked and externally examined within a tight timeframe and candidates who pass the examination may commence the professional course in October of the same year. It is also possible for a successful candidate to defer their place on the course. Deferrals are typically for one year and normally sought for work or study reasons; on occasion, candidates have sought and been granted deferrals of more than one year.

This timeframe generally permits a candidate who wishes to proceed straight from the completion of an approved qualification to the professional course in the same calendar year.

### *3.3 Structure of the professional course*

The professional course may be undertaken over one year as a full-time course or over two years as a modular part-time course (“the modular course”).

Full-time study requires a time commitment equivalent to that of a full-time job between October and late May (i.e. one full academic year). The modular (part-time) course take place over two years.

The learning outcomes, teaching methodology and course content of the modular and full-time degree courses are identical, with some differences in timing / structure to allow modular students to achieve the learning outcomes within the demands of their timetable. Modular students attend the overwhelming majority of their sessions at weekends and attend a full “unit” of 8 sessions per weekend. The modular timetable is revised and updated periodically to ensure that modular students have appropriate breaks between periods when attendance is required at King's Inns. This is essential in order to allow these students time to prepare, particularly given that modular students almost invariably engage in full-time employment while completing the course.

The professional course is intensive, demanding and testing and is constantly evolving in line with best practices in legal professional education and training and the needs of the modern barrister and consumers of legal services.

The professional course is aimed at enabling students to acquire the skills, knowledge and professional and ethical values required in order to practise at the Bar. It bridges the gap between the academic study of law and the practice of law. The course is taught (for the most part) in small groups of no more than 16 students allowing the course to be delivered interactively and so that students obtain the greatest possible opportunity to practice legal skills.

While most students undertaking the course do so with the objective of entering independent practice as a barrister, a smaller number of students undertake the course in order to obtain the qualification of Barrister-at-Law and to learn the skills taught on the course, many of which are of general application in the public and private sectors.



The professional course covers civil and criminal practice and procedure and legal skills (advocacy, consultation, opinion writing, drafting and legal research); alternative dispute resolution; land and introduction to conveyancing; a statutory course on Irish language legal terminology; ethics; practice management; mock trials and demonstration trial; attendance at court; and advanced study of one specialised area of practice (e.g. employment law, immigration and asylum law, family law). Training in civil and criminal practice forms the bulk of the course.

There are 11 civil units (including two foundation units at the beginning of the year) and 7 criminal units. During civil and criminal practice sessions, students must practice various skills including how to conduct a consultation and advocacy. Each “unit” involves eight classroom sessions of 105 minutes each.

The course commences with the foundation course and is followed by the civil practice and criminal practice units. Towards the end of the civil and criminal practice courses, students also undertake additional intensive advocacy training. Teaching in Irish legal terminology, ethics, land and introduction to conveyancing and alternative dispute resolution are timetabled throughout the academic year. The course finishes with a specialist option subject.

### **Foundation course**

The purpose of the foundation course is to give students a grounding in the application of substantive law principles in a practical context. As part of the foundation course students are required to write several legal opinions. These are aimed not only at developing students' legal writing skills but also at helping them to understand the need to shift their emphasis away from a purely academic discussion of law towards the application of their knowledge and analytical skills in the giving of practical advice. King's Inns has found this unit to be indispensable due to the variable level of familiarity with important legal research databases displayed by students from different feeder institutions, as well as the need to transition all students away from academic learning to a more interactive skills and problem based model of learning where they are required to take responsibility for their own development.

### **Civil practice course**

The civil practice course is structured to take students through the process of civil litigation from the beginning, when instructions are first received from a solicitor, to final appeal stage and the enforcement of judgments. The following is an overview of the course:

*Unit 1 (Pre-issue considerations):* These sessions examine critical provisions of the Statute of Limitations, rules relating to costs and lodgements, initiating letters and pre-litigation negotiations. Students participate in pre-trial negotiations and consultations with each other and are also tested in their opinion writing skills within this module.

*Unit 2 (Commencing proceedings):* Issues considered in these sessions include consideration of the documents required to issue proceedings in the Circuit and High Courts.

*Unit 3 (Responding to claims):* In these sessions, students practice drafting defences to Circuit Court and High Court proceedings, counterclaims and notices for particulars and procedural rules in relation to the service of such documents and advocacy in relation to motions for judgment in default of pleadings.

*Units 4, 5 & 6 (Interlocutory applications and related matters):* These sessions examine a wide range of interlocutory applications, including discovery, privilege, interrogatories, the disclosure of medical reports, summary judgment, security for costs, the amendment of pleadings, the dismissal of claims for want of prosecution, third party procedure and interim and interlocutory injunctions. Students receive a grounding in the court rules which apply to these interlocutory applications. Moreover, they are required to draft the necessary papers grounding such applications and practice their advocacy skills before the class by moving and resisting these applications.

*Unit 7 ("Motions morning"; trial preparation; trial):* This unit commences with a session where students must move or resist several motions in several different mock courtrooms. The purpose of this exercise is to attempt to replicate a busy Monday morning motions list, which is the type of work that a pupil will undertake for their Master in practice and thereafter. Later in this unit, students are asked to prepare an advice on proofs on the basis of realistic court papers, engage in pre-trial case analysis and conduct pre-trial consultations with clients (who are played by other class members). Mock trials are held in classrooms



during which students can practise a variety of advocacy skills required for practice as a barrister, including opening a civil case, examining and cross-examining witnesses and making closing submissions. This is followed by a session on enforcement.

*Unit 8 (Judicial review):* These sessions examine the practice and procedure relating to judicial review applications. Students are given instruction on the legal principles governing judicial review proceedings, including the grounds for judicial review, time limits and remedies. Students are required to draft judicial review proceedings (incorporating notice of motion, statement of grounds and affidavit) on the basis of realistic papers. Furthermore, students are required to practise their advocacy skills by presenting judicial review applications (both at the leave stage and the substantive stage) before their class and their tutor.

*Unit 9 (Revision of skills):* These sessions are aimed at revising skills already learned – in particular drafting and advocacy – thus giving students another opportunity to practise and receive feedback on these skills. There is also a session on domestic violence, which is part of a commitment given to the State by the Society that students would receive training on the Istanbul Convention.

### **Criminal practice course**

The criminal practice course is structured in the same way as the civil practice course, taking students through the process of criminal litigation from the investigation of offences by Gardaí, the arrest and detention of suspects, the first appearance of a suspect in court and all the stages in the court process through to sentencing and appeal. As in the civil practice course, students study and practise legal skills alongside criminal procedure and the law of evidence.

*Unit 1 (Basic principles including sentencing):* These sessions examine basic principles of evidence and sentencing. Consideration is given to the basic skills of identifying offences in statute or common law, carrying out simple case analysis of a mock brief and assessing the practicalities of discharging burdens of proof. The unit also introduces students to the skill of making a plea in mitigation.

*Unit 2 (Hearsay; gathering evidence; instituting proceedings):* These sessions examine the rules relating to the gathering of evidence, the ways in which criminal proceedings can be instituted as well as issues which practitioners regularly confront when an accused is before the District Court for the first time. Students consider the rules regarding detention in Garda custody. Through the prism of an excerpt from a fictitious trial, detailed consideration is given to the rule against hearsay and its exceptions. Students prepare and present simple prosecutions. Students conduct a *voir dire* application concerning the admissibility of evidence.

*Unit 3 (Bail applications; consultation with client):* Students study the principles of bail and the skills involved in the making of bail applications. Students learn the relevant rules regarding remands in the District Court and practice making bail applications. Students are required to draft the papers necessary to make applications for bail in the High Court and to then make those bail applications which are then recorded and the student provided with critical feedback. There is the opportunity to analyse two bail applications in a demonstration performed by a practising barrister. These sessions also involve an introductory consideration of the skills associated with carrying out a consultation with a client in a District Court setting in the context of a bail application.

*Unit 4 (Consultation with client; pleas in mitigation; witness handling):* The context for the first few sessions is advising clients facing District Court prosecutions. Issues which can arise before the entering of a plea are explored. A number of students are recorded carrying out the consultations and are provided with feedback. Students are taught about the essential information relevant to making a plea in mitigation. Instruction is also given on issues that may arise post-plea, such as the fixing of recognisance and appeals from the District Court. Core witness handling skills of examination-in-chief and cross-examination are also taught.

*Unit 5 (Appeals from the District Court; case stated; juveniles; submissions; consultations):* These sessions begin with further instruction on appeals from the District Court. Consideration is given to the law regarding the stating of cases to the High Court from the District Court. Students draft a case stated, research and prepare legal arguments to be made in relation thereto and present these legal arguments before the class. Issues arising in relation to juvenile defendants are covered. A demonstration of a consultation, carried out by a practising barrister with the assistance of an actor, is shown to students.

*Unit 6 (Circuit Court procedure; disclosure; character evidence; applications of no case to answer; witness handling):* Instruction is given in relation to sending forward of indictable offences. Students analyse sample books of evidence. They practise drafting indictments. Through *voir dire*s and other contested advocacy applications, issues relating to disclosure, character evidence and applications of no case to answer are explored. Witness handling is revisited. Students conduct a District Court trial. Students view a demonstration of witness handling by a practising barrister using the same set of papers as they worked from.

*Unit 7 (Circuit Court trial; Court of Appeal; Central Criminal Court; pleas in mitigation and applications pursuant to Article 40 of the Constitution):* Students actively participate in all aspects of a mock Circuit Court trial. Practice and procedure in the Court of Appeal, Central Criminal Court and Article 40 proceedings are also examined. Instruction is given in relation to the initial procedural steps required to ground an appeal to the Central Criminal Court. Students also draft grounds of appeal and research and prepare submissions for a Court of Appeal hearing. Students draft an advice on proofs. They draft an affidavit for an application pursuant to Article 40 of the Constitution and make applications. Students practise preparing and delivering pleas in mitigation on the basis of realistic sets of papers (including sample probation reports). A recorded demonstration of a plea in mitigation, carried out by a practising barrister, is discussed and analysed.

### **Practice and Procedure**

Practice and procedure is delivered through the civil practice and criminal practice courses. Students learn the law and procedure applicable at each stage of the **criminal** and civil process contemporaneously with their study of legal skills such as advocacy, negotiation, consultation, opinion writing, case analysis, legal drafting and legal research. The purpose of integrating these skills into the procedural element of the course is to ensure that students understand the knowledge that they have acquired by constantly having to apply it.

### **Alternative Dispute Resolution (“ADR”)**

All students on the professional course must complete a course and assessment in Alternative Dispute Resolution. This area, which was an optional subject for many years, is now a core part of the course studied by all students. This reflects the fact that ADR is an increasingly

important part of practise as a barrister and legal practitioners have statutory responsibilities to advise clients on alternatives to court litigation.

There are 10 x 105 minute sessions in this course. Sessions cover matters such as: an introduction to the theory and practice of mediation, including the Mediation Act 2017; confidentiality and privilege in the context of mediation; the role of the court in mediation, advantages and disadvantages of arbitration; domestic and international arbitration; fundamental principles of arbitration; the arbitration agreement; arbitral proceedings; the role of the court in arbitral proceedings; and the award.

### **Ethics and Professional Responsibility**

All students undertake 6 x 105 minute sessions specifically covering ethics during which students examine a range of ethical issues that may arise in practise as a barrister. Students must learn about and be able to apply provisions of relevant professional codes.

The dedicated ethics course does not represent the full extent of ethics teaching. In addition to the dedicated ethics course, ethical issues are embedded in classroom sessions on other areas. For example, a session on civil or criminal practice may contain some aspect that raises ethical issues. Students are expected to be able to identify ethical issues as they arise in other sessions and to deal with them appropriately.

### **Land Law and Introduction to Conveyancing**

This unit of 8 x 105 minute sessions introduces the students to issues which they will face in practice and develops the skills required to advise on a variety of legal issues relating to land. Matters covered include:

- Ownership – the Land and Conveyancing Law Reform Act 2009 and the abolition of feudal tenure, estates in land, words of limitation, equitable interests, the doctrine of Notice, co-ownership and adverse possession.
- The family home – The Family Home Protection Act 1976, protection of the non-owning spouse, equitable interests in a resulting trust, the Civil Partnership Act 2010, the rights of cohabitees.
- Incumbrances – incorporeal hereditaments, the acquisition of easements, mortgages, the enforceability of freehold covenants at common law and in equity.

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- Leases and licenses - the distinction between a lease and a lesser interest, rights of the lessee, the leasehold covenants, statutory tenancies and rights, termination of the relationship.
- Overview of the steps in conveyancing – the creation of a contract, subject to contract, pre-contract inquiries, physical condition, planning status, documents in sale, investigation of title, the contract, boundaries, searches, completion.
- Title – registration of title in Ireland, the advance of e-conveyancing, root of title, investigation of the chain of title, problems faced in tracing title.
- Drafting – drafting deed of transfer, deed of conveyance/assignment, conveyance in fee simple by way of sub-sale, conveyance in fee simple by the personal representative of owner who died testate, grant of right of way over land.
- Remedies – forfeiture of deposit, contractual remedies, statutory remedies, equitable remedies, pre-contract, the contract and post-completion remedies.

### **Practice management**

All students on the course attend 8 sessions on the area of practice management. These are shorter sessions of 45-50 minutes each and typically cover areas of importance to practising barristers, including:

- Tax and financial management;
- Cybersecurity and data protection;
- District Court practice and procedure;
- Courtroom etiquette and ethics;
- Navigating civil motion lists as a junior practitioner;
- What solicitors expect of barristers;
- Responsible use of social media;
- Consultations.

The sessions are delivered by appropriate experts, e.g. the taxation session by an accountant; the cybersecurity and data protection session by an IT expert; the courtroom etiquette session by a judge of the Superior Courts and the session on what solicitors expect by a senior solicitor with significant experience of briefing barristers.

### **Statutory Irish language legal terminology**

In accordance with the Legal Practitioners (Irish Language) Act 2008, King's Inns provides a course of instruction in Irish language legal terminology to all persons attending the degree course. The Irish language terminology course is run over 6 x 105 minute sessions. This course also involves an online element that allows students to prepare in advance and to test themselves on their acquisition of Irish legal terminology; the online aspect of the course is provided by an external company. The online facility enables students to monitor their progress through the course by assessing their learning through exercises. Attendance on the course is mandatory but not examinable.

### **Intensive advocacy**

The most instantly recognisable image of any barrister is that of an advocate. Advocacy exercises are embedded throughout all sections of the degree course from the foundation course onwards. Indeed, the need for each student to have the opportunity to practise different advocacy exercises on a regular and on-going basis is one reason that it is essential to deliver the degree course in the small groups with a tutorial rather than lecture style format. Excellence in advocacy teaching is a core tenet of the course.

From the academic year 2016-2017, following extensive research, King's Inns added additional sessions in intensive advocacy to the professional course, over and above those already embedded throughout the civil and criminal practice courses and other subject areas. These additional sessions were designed following input and assistance from recent alumni of the professional course, the Bar of Ireland advocacy training sub-committee and other experts in the field.

The aim of the intensive advocacy sessions is to ensure that students obtain as much experience of different types of advocacy in a short period of time. Broadly speaking, the exercises undertaken by students correspond with the three types of advocacy examined on the professional course. In turn, these assessments themselves (which are explained in more detail below) are based on the scenarios students will encounter in practice as a barrister.

The focus of the intensive advocacy sessions is to ensure that:

- Students have additional practice at advocacy exercises;



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- Students obtain useful feedback on their own performances; and
- Students benefit from listening to feedback from other classmates.

Exercises undertaken in this context include:

- An application for leave to apply for judicial review;
- An application to have a case struck out due to failure to seek out and preserve prosecution evidence;
- *Inter-partes* judicial review applications;
- *Inter-partes* civil motions;
- Witness handling exercises in civil and criminal trials.

Students undertake this training in smaller groups than usual (typically, in groups of six to eight students) and are trained by tutors with extensive experience of courtroom advocacy who apply the Hampel Method of feedback; an internationally recognised method of advocacy feedback which is used by, *inter alia*, the advocacy trainers in Keble College Oxford, the International Advocacy Training Council and the Bar of Ireland.

### **Demonstration trial**

Students attend a demonstration trial in which experienced barristers run a civil trial based on an exercise that students have themselves attempted in class previously. The demonstration trial is generally presided over by a sitting or recently retired member of the judiciary. The aim of this exercise is to demonstrate to students how experienced advocates would approach the task that students had been given.

### **Drafting lecture and workshop**

As with the skill of advocacy, the skill of drafting is embedded throughout the course, with the greatest number of classroom hours on drafting taking place during the civil practice course. Students learn to draft the main types of pleadings and proceedings. In order to further embed this skill, King's Inns also has a senior counsel address students on the skill of drafting each year. Towards the end of the civil practice course, all students also attend a drafting workshop in which they attempt a past paper in drafting, then work through a solution as a group, guided by a tutor with significant experience of teaching and assessing drafting.

### **Mock trials**

All students participate in civil and criminal mock trials. These take place over three afternoons towards the end of the course but before the advocacy assessments take place, to allow students to apply feedback received from the mock trials to their advocacy skills. Students run civil and criminal mock trials on the basis of realistic case papers. Mock trials take place in the Four Courts or the Courts of Criminal Justice, as appropriate, and are presided over by members of the judiciary and experienced senior and junior counsel.

### **Guest lectures on specialist areas**

Students must attend<sup>2</sup> lectures on the Istanbul Convention and the Victims' Rights Directive.

Students may attend other guest lectures, which vary from year to year. Generally, these will include a talk by the Bar of Ireland on membership of the Law Library for those interested in pursuing that route, as well as talks by alumni or Benchers on either career development or specialist areas of law.

### **Court visits**

Students are required to undertake nine court visits. Full-time students undertake these visits as part of their formal timetable, on Monday mornings, and are directed to attend specific courts on each day. Modular students undertake these visits outside of their formal timetable which affords greater flexibility to modular students in full-time employment. Modular students must complete the same number of court visits as full-time students.

### **Options subjects**

Students undertake one specialist option toward the end of the professional course. The options offered to students cover specialist areas of practice. In the academic year 2017-2018, students undertook options in the following areas:

- Immigration and Asylum Law;
- Employment Law;
- Company Law;
- Family Law;

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<sup>2</sup> Full-time students must attend in person; modular students may attend via distance learning.



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- Advanced Irish; and
- Planning and Environmental Law.

The goal of each specialist option is to allow a student to obtain an insight into, and practice in, the skills required of the above practice areas. For example, students undertaking the option in Immigration and Asylum Law may be asked to role play a consultation with a client, before conducting a mock hearing before the International Protection Appeals Tribunal. The client is played by an actor. Students on the Advanced Irish option will learn how to draft pleadings and proceedings in the Irish language and how to carry out advocacy exercises through Irish. Once again, as with all aspects of the degree course, the emphasis is not on substantive law but rather on skills development and the practical application of the law in problem based scenarios similar to those encountered by barristers in their daily practice. Students are advised to select an option based upon a practice area that is of interest to them.

### **Dining**

As an additional element of the student experience, students attend dining in the Society's Dining Hall during the course. This is an important opportunity for students to mix with other members of their class, with Benchers and with other alumni of the Society. The Society uses dining evenings as an opportunity to afford current students the chance to meet and speak to practising and non-practising alumni for perspectives on career progression and professional experience. Student feedback on student-alumni dining events is excellent and students consistently report this to be a valuable part of the course.

### **Attendance requirement**

Because the professional course is skills-based, it is essential that students attend in person in order to learn and practise these skills, to interact and practice with other students in their class and to obtain feedback in person from the highly qualified team of tutors. Accordingly, attendance is mandatory and any student who falls below 90% attendance will fail the course. While King's Inns is fully versed in distance learning technology, and uses such technology as a support for students, the prevailing philosophy behind this professional course, which is constantly kept under review, is that any person seeking to qualify as a barrister must "learn by doing" in a supported and challenging learning environment.

### **Formative assessments**

At roughly the half way point in the civil and criminal practice courses, students are required to undertake formative assessments. These “mock assessments” are essentially an education and training tool. While they allow students to familiarise themselves with the assessment methodology in respect of four types of assessment (advocacy, consultation, legal research and drafting), they are primarily a means of allowing students and staff to check the students' progress on the professional course to date. Students are provided with detailed and extensive feedback on their performance in the formative assessments and are then given the opportunity to apply that feedback (e.g. by re-running the advocacy exercise; examining their own drafting paper alongside the feedback on the paper etc.).

### **Teaching team**

Classroom sessions are delivered almost exclusively by practising barristers who are experts in the subject field. King's Inns views the input of practising barristers as essential to the professional course and an effective means of ensuring that the core values of the course are fulfilled. Learning a skill is most effective when teaching is being delivered by a person with extensive practical experience of that skill. This methodology also allows the Dean and Course Coordinators to liaise with practising barristers in order to ensure that course outcomes and materials are always relevant and in line with the realities of practice.

### **Course Materials**

Each individual classroom session has clear learning outcomes which must be attained by the end of the session. Students are provided in advance with detailed session plans setting out the learning outcomes for each session, as well as information on the preparation work required, what to bring to the session and any follow up work that will be required afterwards. Student session plans are published in advance to students via Moodle; King's Inns Virtual Learning Environment.

Students are also provided with course manuals in electronic format on all key aspects of the course, including civil and criminal procedure, drafting, ADR etc. Students are expected to be familiar with the content of all of these materials.

Course manuals contain skills guides setting out key criteria in respect of the various skills taught on the course. Students and tutors have regard to these criteria on an on-going basis while practising the relevant skills. Students are assessed in accordance with these criteria.

### **Library and legal databases**

King's Inns has an extensive collection of legal textbooks and materials which are available through the Society's library. The library boasts an experienced staff who are well-equipped to assist students in maximising their use of the physical and electronic resources available.

All barristers practising today must be familiar with each of the main online legal databases. King's Inns has subscriptions to these databases which includes:

- Justis;
- Justcite;
- Bloomsbury Professional Online;
- Murdoch's Irish Legal Companion;
- WestlawIE;
- WestlawUK;
- LexisLibrary; and
- Stare Decisis Hibernia.

Students are provided with a compulsory session on the use of these databases early in the professional course. The Society's Librarian also provides additional optional tuition in the use of the legal databases during the academic year. During the professional course, students are required to complete various exercises, including legal research and opinions, that necessitate the successful navigation of this software.

### **Assessments**

Students are assessed in a manner appropriate to the skill concerned; for example, advocacy assessments are oral, recorded assessments in which students must demonstrate the skill required while drafting assessments require students to draft appropriate pleadings and proceedings in response to instructions from a solicitor.

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The goal of these assessments is to ensure that all students who pass are competent to practise.

The grade boundaries are as follows:

*Distinction (80% and over)*

A candidate who attains a distinction has performed at a standard considerably above the level of someone starting in practice.

*Merit (70% and over)*

A candidate who attains a merit has performed at a standard above the level expected of someone starting in practice.

*Pass grade (50-69%)*

A candidate who attains a pass has performed to the standard expected of someone starting in practice.

*Failing grades (0-49%)*

A candidate who fails to attain a pass has failed to perform to the minimum standard expected of someone starting in practice.

**Criteria for marking the skills assessments**

The criteria used for marking the skills assessments are contained in the relevant skills guides which are distributed to students.

**Advocacy assessments**

There are three advocacy assessments. Advocacy 1 and 2 both take the form of an application or submission in either a civil or a criminal case. In the case of Advocacy 2, the submission is contested with another student representing the opposing party to the application. Advocacy 3 involves either examination-in-chief or cross-examination of a witness. A professional actor plays the role of the witness.

### **Consultation Assessment**

This is an oral assessment. This takes the form of a consultation with a client. An actor plays the role of the client.

### **Alternative Dispute Resolution (ADR)**

This is a written assessment. Relevant materials are provided to students (e.g. the Mediation Act 2017 and the Arbitration Act 2010). Students are asked to advise on practical scenarios and may be asked to draft relevant documents relating to ADR processes.

### **Drafting Assessments**

There are two Drafting assessments. The assessments take the form of instructions from solicitors and require candidates to draft the relevant document or documents.

### **Ethics Assessment**

This is a written assessment. The paper consists of problem questions and / or essay questions. Copies of the relevant professional codes are provided to all students.

### **Opinion Writing Assessment and Legal Research Assessment**

These written assessments take the form of an instruction from a solicitor seeking advice and a problem to research requiring candidates to write a record of their research and a report of their findings. This is a “take-home” assessment which students must complete within a specified timeframe.

### **Multiple Choice Tests (MCTs)**

The application of procedural rules in both criminal and civil practice is examined by means of Multiple Choice Tests. There are two Multiple Choice Tests; criminal and civil. Each test contains 70 multiple choice questions. For the Criminal test, questions may be asked on any area of the criminal practice course including sentencing and areas of evidence covered. For the civil test, questions may be asked on any area of the civil practice course including the foundation course, the civil practice course itself, judicial review and land and introduction to conveyancing.

### **Assessments for specialist option courses**

These assessments take the form of one or more skills assessments (i.e. advocacy, consultation, drafting, opinion writing or legal research) in the context of the specialised area of the option.

#### *3.4 Supporting the proper and effective administration of justice*

It is essential that all prospective barristers receive education and training in their future professional responsibilities which underpin the effective administration of justice in the State. This is taught on the professional course through various means, including:

- An induction day during which students are addressed by key speakers, including a senior member of the judiciary, in relation to the importance of the role of the Bar in the administration of justice and of ethical behaviour while a student and in a professional capacity.
- The course in Ethics.
- The lectures in Practice Management.
- The teaching and learning of Civil and Criminal Procedure.
- The requirement that all students attend court on at least nine occasions during the course with an emphasis on exposure to hearings in courts of different levels and to as wide a range of civil and criminal matters as possible.
- Practical exposure to the workings of court proceedings, for example through the dedicated “motions morning” in which students are required to make and resist civil motions before tutors acting as judges in a manner which replicates the demands on a busy junior counsel in Monday morning motion lists. Similarly, students are also required to run civil and criminal mock trial hearings in class and in the Four Courts and Criminal Courts of Justice.

*3.5 Protecting and promoting the public interest and the interests of consumers of legal services and fitness to practise*

The Society is acutely conscious of its responsibility in the provision of education and training services to ensure that the public interest is protected and promoted. There is an associated responsibility to ensure that the interests of the consumers of legal services are similarly protected and promoted. The Society's view is that the best means of discharging this responsibility is to ensure that the education and training of prospective barristers is carried out to the very highest standard. In addition to requiring prospective barristers to meet very high standards in terms of legal knowledge and legal skills, the Society further discharges this responsibility by ensuring that there are no other reasons, unrelated to academic or skills competency, why a person should not be called to the Bar. This may include criminal convictions of a significant nature.

*3.6 Encouraging an independent, strong and effective profession*

Within the Society, there is a strong link between future legal practitioners on the one hand and current legal practitioners and the judiciary on the other. This reinforces the fact that a practising barrister must act independently of any pecuniary or selfish interest and has an overriding duty to the court. It further emphasises the strong and collegiate nature of practise as a barrister.

The hands-on involvement of highly experienced practitioners and judges in all aspects of the Society's activities ensures a strong and direct interest from those most familiar with the requirements and demands of the profession in maintaining the highest quality standards in the education and training delivered by the Society. It also allows for meaningful and practical support from both practising barristers and the judiciary in all student activities.

Lecturers and tutors on the professional course, and indeed on many of the other courses offered by the Society, are practising barristers. This ensures that students benefit from receiving first-hand knowledge from practitioners who appear in courts on a daily basis.



The teaching delivered by practising barristers is underpinned by a high level of interest and support for educational and extra-curricular activity by members of the judiciary. This manifests itself in many practical ways, such as through the delivery of guest lectures and seminars and presiding over mock trials and mooted competitions.

### *3.7 Critical mass of students*

Every prospective student who holds an approved qualification and who successfully completes the Society's Entrance Examination is offered a place on the professional course. There is no cap on numbers.

Given that barristers in practice in Ireland are self-employed sole practitioners, it is unsurprising that numbers applying to King's Inns and thereafter entering the barristers' profession fluctuate in line with prevailing economic conditions. In light of economic conditions experienced in recent years, the number of students enrolled on the professional course has been lower than was the case in the first decade of this century.

It is important to emphasise that there is no pent-up or unmet demand in the marketplace for alternative providers to provide education and training for prospective barristers. The numbers applying to the Society each year to sit the entrance examination are, in the Society's view, the only true measure of the overall level of demand in the marketplace for education and training leading to admittance to the profession.

Based on its extensive experience of delivering education and training for prospective barristers, it is clear to King's Inns that a critical mass of students is required to deliver effective professional training. This is particularly true for aspects of skills training in which students must practise and engage with one another, such as in advocacy training, negotiation and mock trials, all of which are of critical importance to developing the skills required of prospective barristers. Equally, it is the Society's view that an effective assessment system would be compromised and unworkable without a minimum number of students.

The Society is firmly of the view that it would be difficult, if not impossible, for additional and / or alternative providers of the professional phase to reach that critical mass. Should



additional and / or alternative providers not attain critical mass, this could only have a detrimental impact on the overall quality of education and training of legal practitioners and the professional competence of barristers.

Ensuring means of access to education and training for students from all geographic areas of the State is important, and the Society is of the view that this is facilitated by the fact that the academic phase can be completed at any one of a large number of institutions throughout the State (and indeed elsewhere) and by the opportunity for part-time study on the modular course in order to complete the professional phase. The proximity of the King's Inns premises to the Four Courts and the Criminal Courts of Justice must also be viewed as an important asset as it facilitates teaching and lecturing being delivered by practising barristers. It also supports high levels of engagement in the Society's activities from judges.

### *3.8 Quality assurance and course development*

The Society is committed to the highest possible standards in education and training taking account of developments in education and technology. It is a core tenet of education and training at King's Inns that professional education and training ought to be practitioner-led. This ensures that the education and training provided is not theoretical or abstract but is highly practical, vocational and focused on the requirements of practise as a barrister. No one is better placed to understand the current skills and knowledge requirements of a practising barrister than someone currently engaged in that profession; similarly, input from members of the judiciary and members of the solicitors' profession is also invaluable in terms of the development, delivery and monitoring of standards of courses at King's Inns.

The day to day running of the professional course is overseen by a highly qualified team of full-time and part-time staff. There are course coordinators for both civil practice and criminal practice. There is also a coordinator for the modular course. Course coordinators have responsibility for designing and updating course materials within their area and managing the delivery of the content, including supervising the work of the course tutors. They also have responsibility for designing and correcting some assessments, subject to internal and external quality review. Coordinators also have an important pastoral care role.

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The coordinators report to the Dean of the School of Law. The Dean is responsible for the day to day running of the School of Law. The Dean reports monthly to the Standing Committee and the Education Committee of King's Inns. The guidance and input of the Society's committees is regularly sought on various matters.

The Dean carries out an annual review of the professional course which is considered in detail by a sub-committee of the Standing Committee. This review takes into account feedback gathered from the structured annual feedback sought from students via surveys and focus groups. The effectiveness of any changes made in the course from the previous year is reviewed and proposals for future developments are considered.

Extensive external reviews of the professional course are carried out periodically and their recommendations are implemented. For example, the structure of the professional course as it is currently constituted was the result of a report by an expert Working Group chaired by former Attorney General, Mr. Dermot Gleeson SC. An in-depth review of all aspects of the professional course was carried out in 2014 by a panel chaired by The Hon. Mr. Justice Brian Cregan, which also included experts in professional legal education from other jurisdictions.

### *3.9 Costs of providing the professional course*

The Society is a not-for-profit institution and is registered with the Charities Regulator. Despite the vital role played by practising barristers in the administration of justice, the Society receives no funding from the State for its core education and training activities. The only funding received from the State is for courses relating to the Irish language and this funding is specifically ring-fenced for that purpose.

The fee payable for the professional course is currently €12,560. The Society believes that this compares very favourably with other types of education and training leading to a professional qualification – see Appendix B for comparative information. Fees on the professional course have not increased since 2009. Fees may be paid in two instalments.

The interactive, small group teaching method used on the professional course is the only effective delivery method for professional training. Teaching in small groups, particularly

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when delivered by experienced professionals, is expensive. The Society does not operate the professional course at a profit and a conscious effort has been made to maintain fees at the lowest possible level.

The Society receives a subvention from the Bar of Ireland each year, which further subsidises the true cost of providing education and training services for prospective barristers. This subvention is an indicator of the value placed by practising barristers in the high standard of education and training provided by King's Inns to prospective barristers.

#### **4. Other education and training provided by The School of Law at King's Inns**

##### *4.1 The Diploma in Legal Studies*

The Diploma in Legal Studies (“the Diploma”) is a two-year course in substantive law. Its primary objective is to enable students, who do not already have a third level legal qualification to acquire the knowledge and understanding of substantive law and of legal research skills that will enable them to participate fully in the professional course alongside university graduates in law.

Since its inception in 1982, the Diploma has provided a route to qualification as a barrister to a wider section of society, including those without an existing third level qualification. Now in its fourth decade, the Diploma is aimed primarily at people who do not already hold an approved law qualification and would like to qualify as a barrister. However, the Diploma also attracts people with a more general interest in the law or who wish to learn more about the law due to the nature of their current career. The Diploma boasts a diverse student body, including graduates in disciplines other than law and mature applicants. This diversity ensures a vibrant student body, enabling each member to benefit from one another's life and career experiences.

Students who enter the professional course via the Diploma route have consistently performed to the same standard as students with a recognised law qualification in the Entrance Examination and on the professional course.

Taught by a team of qualified barristers with extensive experience in legal education, the Diploma is a challenging and rewarding course.

Entrants to the Diploma in Legal Studies course fall into two categories: (a) graduates and (b) mature entrants. A graduate entrant is a person who, regardless of age, has attained a third level (Level 8) degree, either in Ireland or abroad, in a discipline other than law. A mature applicant must be at least 23 years of age on the 1st of May in the year in which they present themselves for examination in the first year of the Diploma. The suitability of mature

entrants is assessed on the basis of any educational qualifications they hold and work experience.

In assessing the suitability of applicants for places on the course, the overriding concern of King's Inns is to ensure that anyone offered a place will be able to meet the demands of the course. Applicants holding third level qualifications have proved their ability to complete a course of academic study. Mature entrants are given every opportunity to demonstrate their suitability by providing evidence of any other (non-third level) course they have completed, as well as CVs or other information tending to demonstrate that they will be able to complete the course.

Upon acceptance to the course, all mature entrants are offered the opportunity to attend a specially designed course in study skills, which takes place before the commencement of the academic year. Delivered by the Course Coordinator, the course is designed for students without a formal education or who have been away from formal education for a long time. It covers such matters as types of learning, time management on an academic course and revising for and writing examinations. This course demonstrates the Society's continued commitment to providing a route to qualification as a barrister to a wider section of society.

The Diploma is delivered on evenings and weekends to ensure that the course is accessible to persons in full-time employment. Most students in any given year are in full-time or part-time employment (or self-employment) and it is imperative that classes take place outside normal working hours.

E-learning software is now used to record all lectures on the Diploma course. While the interactive nature of the Diploma means that regular attendance at lectures and tutorials is important, King's Inns is mindful that students invariably have other commitments and may, therefore, be unable to attend lectures on site from time to time. Students can access recordings remotely. Students report lecture recordings to be of great assistance for revision purposes, enabling them to revisit lectures when they are writing assignments or preparing for exams. They also allow students who missed class due to work, illness, inability to travel to class on a particular day, or other personal reasons to catch up on material covered by the lecturer that day.

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The broad entry criteria, timetable, system of lecture recording, flexibility in the payment of fees, and availability of a scholarship all combine to ensure that access to the Diploma (and, by extension, to a route to qualification as a barrister) is accessible to people who might be considered as “non-traditional” entrants to the Bar.

**Diploma I Subjects**

| <b>Subject</b>                         | <b>Lecture Hours</b> | <b>Tutorial Hours</b> | <b>Total Contact Hours</b> |
|--|----------------------|-----------------------|----------------------------|
| Introduction to the Legal System       | 10                   | 9                     | 19                         |
| Legal Research and Writing             | 2                    | 6                     | 8                          |
| Land Law (including Law of Succession) | 28                   | 21                    | 49                         |
| Law of Torts                           | 28                   | 21                    | 49                         |
| Criminal Law                           | 28                   | 21                    | 49                         |
| Constitutional Law                     | 28                   | 21                    | 49                         |
| Law of Contract                        | 28                   | 21                    | 49                         |
| Family Law                             | 27                   | 9                     | 36                         |

**Diploma II Subjects**

| <b>Subject</b>               | <b>Lecture Hours</b> | <b>Tutorial Hours</b> | <b>Total Contact Hours</b> |
|------------------------------|----------------------|-----------------------|----------------------------|
| Equity and the Law of Trusts | 28                   | 21                    | 49                         |
| Law of the European Union    | 28                   | 21                    | 49                         |
| Law of Evidence              | 30                   | 21                    | 51                         |
| Company Law                  | 28                   | 21                    | 49                         |
| Human Rights Law             | 16                   | 10.5                  | 26.5                       |
| Administrative Law           | 14                   | 10.5                  | 24.5                       |
| Jurisprudence                | 28                   | 21                    | 49                         |

All subjects are taught in a highly interactive manner with emphasis placed on small-group teaching and problem-based learning in tutorials. Students are encouraged to engage in active learning, where they have an opportunity to apply law learned during lectures and from their own reading. In tutorials, students may be asked to advise fictional clients, moot, debate, or give a presentation.

The course is overseen by a full-time Course Coordinator, who reports to the Dean. The coordinator is responsible for the day-to-day running of the Diploma and teaches on the course as well. Appointments as a lecturer or tutor on the Diploma are made only after a rigorous appointments procedure. The knowledge, training, qualifications, and experience of the course lecturers make them experts in their respective fields. Lecturers report to the coordinator and their duties include:

- Updating and otherwise revising the course manual and other course materials.
- Delivering lectures and tutorials in their subject(s).
- Supervising other tutors in their subject(s).

### **Assessment**

Lecturers also draft and correct assessments in their subject(s). Assessments comprise a written examination and an assignment in each subject. The examination accounts for 80% of the marks available in the subject while the assignment accounts for 20%. The annual examinations take place during the second and third weeks in May. The supplemental examinations take place during the third and fourth weeks in August. The publication of assignments is staggered throughout the academic year. Students are required to write three assignments before Christmas and four after Christmas.

In Diploma I, all subjects carry equal weighting in terms of the overall mark for the year; however, in Diploma II, two subjects – administrative law and human rights law – are each weighted at 50% of the weighting for the other five subjects. Assessments are both internally reviewed by the coordinator and externally reviewed by external examiners before being finalised. The external examiners also review corrected assessments, all failed assessments and a sample of the remaining ones before the Examination Board finalises the results.

The following materials are provided to students in each subject in electronic format:



- Course Map – as well as listing topics that will be taught and learned, the Course Map also sets out learning outcomes and indicates how much class time will be spent on each topic and whether topics require independent study.
- Tutorial Session Plans – these set out learning outcomes for tutorials and tell students how to prepare for tutorials, the materials to bring to tutorials and what work should be done as follow-up.
- Course Manual – this is a text written by the lecturer and reduces the need for the students to take handwritten notes in lectures, thus facilitating active learning. It also reduces the requirement for students to purchase expensive textbooks in the subjects. Required reading can be achieved through the use of library textbooks and online resources.

Lecturers update and otherwise revise materials in their subject(s) every year under the coordinator's supervision.

Responsibility for the pastoral care of Diploma students rests primarily with the coordinator. In October, Diploma I students are invited to meet the coordinator to discuss how they are settling in to the course and any concerns they might have about Diploma-related matters, e.g., learning the law and time management. In January, Diploma II students are invited to meet the coordinator to discuss their preparation for examinations in May and so that they can raise relevant matters with the Coordinator, e.g., their post-Diploma plans, including preparation for the professional course Entrance Examinations.

#### *4.2 Advanced Diplomas*

King's Inns provides education and training to both the wider legal community and to students from a wide range of professional backgrounds through its Advanced Diploma courses. These courses, which focus on specialist areas of the law, are designed and delivered by leading experts in the field.

Examples of advanced diploma courses currently available include:

- Ard-Diplómaí trí mheán na Gaeilge (Advanced Diplomas through Irish):



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- Dlítheangeolaíocht agus Aistriúchán Dlíthiúil (Lawyer–Linguistics and Legal Translation);
- Aistriúchán Dlíthiúil (Legal Translation);
- Dlí–Chleachtadh trí Ghaeilge (Legal Practice through Irish).
- Legislative Drafting;
- Data Protection Law;
- Law and Education;
- Planning and Environmental Law;
- Corporate, White Collar and Regulatory Crime;
- Public Procurement Law;
- Applied Employment Law; and
- Immigration and Asylum Law.

The Advanced Diploma programmes allow King's Inns to provide specialist legal education in particular fields to the broader public who have an interest or desire in learning more about the area in question which is usually for professional or career development reasons. Some of the Advanced Diploma courses, notably the courses taught through Irish and the Legislative Drafting course, focus on the development of particular skills; for example, the translation of legal documents, or legal advocacy through Irish, or designing and drafting legislation effectively. Those courses are taught in small groups which ensures the effective acquisition and development of the skills concerned.

Others courses, such as public procurement law or planning and environmental law, focus on imparting the knowledge of that particular field. All courses are intended to be of practical benefit to students working in the particular field and include practical and interactive sessions where appropriate; for example, the course in applied employment law includes a mock Labour Court hearing.

Before being approved as suitable to be run by King's Inns, each course proposal goes through a rigorous review procedure, in which the proposer must provide information under a variety of key headings, including course objectives and learning outcomes, draft course content, target audience, structure, teaching and assessment methodology, and a list of experts who might be suitable to teach sessions on the course.

Course proposals are considered in the first instance by the Dean of the School of Law and then by a small advisory committee with expertise in the subject area. Advisory committees generally consist of members of the judiciary and or / senior barristers or other appropriate professionals with relevant expertise. Assuming a course proposal is considered to be worthwhile in principle, feedback from the advisory committee is taken into account and the proposal amended and mapped in detail and suitable experts are invited to speak on the course.

Each course is delivered by a range of experts in the field. In most cases, practising barristers with direct practical experience of the subject matter deliver the bulk of the sessions on the course, alongside senior solicitors from major firms and members of the judiciary. In some cases, relevant experts other than lawyers and judges deliver sessions (e.g. the Data Protection Commissioner, members of An Garda Síochána, employees of the Office of the Director of Corporate Enforcement, or international experts).

King's Inns is eager to ensure that Advanced Diploma courses are accessible to as wide a section of the population as possible. To that end, most courses are available via blended or distance learning, ensuring that the geographical location of the participants is not a barrier in respect of most courses.<sup>3</sup> It is also possible for students to submit coursework electronically using the Virtual Learning Environment Moodle and the online plagiarism detection software Turnitin.

The course syllabus for each Advanced Diploma is reviewed each year by the coordinator of the course, who is always a barrister working in that field (with the exception of Legislative Drafting, which is always coordinated by an expert with direct experience of that skill; the current coordinator is a qualified non-practising barrister). As part of King's Inns quality assurance procedures, students on each course are asked to complete detailed end of course surveys which are then considered in detail by the School of Law and by the course coordinator in terms of future planning for the course.

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<sup>3</sup> There are exceptions to this; e.g. because of the skills component, it is essential that students attend the course in Legislative Drafting in person.

#### *4.3 Supporting and promoting legal education through Irish*

King's Inns plays a unique role in the provision of legal education and training through Irish. This is vital to ensure the continued development of legal practise through Irish and the availability of suitably qualified and competent barristers to serve the needs of consumers of legal services who wish to seek legal advices or to conduct litigation through Irish in accordance with their Constitutional and statutory rights.

The courses offered by King's Inns also support the development of suitably qualified professionals to take up opportunities with EU institutions. This is in line with Government policy to increase the number of Irish nationals working in the EU institutions. Furthermore, it enhances efforts in the national interest to ensure that a sufficient pool of, common-law qualified lawyers will be available for key positions in the EU institutions after Brexit.

King's Inns runs three Advanced Diploma through Irish. Two of them: the Ard-Diplóma sa Dlítheangeolaíocht agus san Aistriúchán Dlíthiúil (Advanced Diploma in Lawyer-Linguistics and Legal Translation) and the Ard-Diplóma san Aistriúchán Dlíthiúil (Advanced Diploma in Legal Translation) are specialist part-time courses taking place over one year which train participants to take up positions with EU Institutions as Irish language lawyer-linguists and translators.

Many of the Society's graduates have found employment with the European institutions, working across the Commission, Parliament, Court of Justice and other bodies.

The Society organises an annual study visit for our students to the European Commission, Council, Parliament and Court of Justice. Arising out of the links that have been developed by the Society, the Court of Justice has identified King's Inns as the primary node and source for English speaking lawyer-linguists following Brexit.

King's Inns organise an annual conference each spring with the Head of Multilingualism at the Court of Justice of the EU, to which students of all Irish third level law schools are invited to attend, on the subject of employment opportunities for multilingual lawyers and law graduates with the Court of Justice.

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King's Inns also offers our specialist part-time academic year long Ard-Diplóma sa Dlí-Chleachtadh trí Ghaeilge (Advanced Diploma in Legal Practice through Irish). The aim of the course is to enable legal practitioners to practise through Irish. Both civil and criminal aspects of practice are taught on this course, as well as drafting, advocacy, consultation and negotiation. Moot courts and mock trials form an integral part of the course and participants are afforded ample opportunity to undertake practical advocacy exercises as well as exercises in drafting and terminology through the Irish language.

This course is designed to play a role in addressing the shortage in key linguistic skills among legal practitioners and civil and public servants in the State. The course is fully aligned with the Government's 20 year strategy on the Irish Language 2010-2030.

## **5. Diversity and open access to legal education and training**

King's Inns is committed to ensuring that the composition of its student body, and by extension of practising barristers, reflects the make-up of modern Ireland. Entry to King's Inns is fair and transparent. Every person who meets the entry requirements and passes the Entrance Examination may embark on the professional course at King's Inns. Thereafter, every person who passes the professional course is admitted to the degree and called to the Bar. Once admitted to the degree and called to the Bar, that person is a fully qualified barrister with a full right of audience in every court in Ireland.

This can be contrasted with the system in other jurisdictions. For example, in Northern Ireland, there is a cap on the numbers admitted to professional training leading to qualification as a barrister. This is not the case in the Republic, as King's Inns will admit and train everyone who meets the entry criteria in any given year. In England and Wales, where rights of audience are limited, many students, having gone to both the effort and financial expense of obtaining the academic and professional phases to qualify as a barrister, find themselves unable to obtain the pupillage that is required to enable them to complete the process to fully enter practice.

In this jurisdiction, any person who wishes to enter practice as a member of the Law Library has the opportunity of doing so and will be assisted in finding a master with whom to undertake pupillage / devilling. There is no ultra-competitive chambers system, in contrast to the system in England and Wales, where non-traditional entrants and minorities appear to be under-represented in obtaining pupillages and tenancies.

King's Inns strives to ensure that access to professional education and training for prospective barristers is open to people from all sections of Irish society in a real and meaningful way. This is achieved in the following ways:

- The Diploma is open to graduates of disciplines other than law and, crucially, to mature entrants with no third level educational background of any kind. The purpose of the Diploma in Legal Studies from its inception has been to provide an alternative route to completing the academic phase of legal education and, thereafter, proceeding to the professional phase. Places for candidates who do not hold a third level degree

and are least 23 years of age are awarded by the Education Committee by reference to the candidate's academic and professional qualifications and occupational and work experience. This route of access for "mature" applicants ensures that candidates from a wide variety of backgrounds and experiences form part of the student body.

- The Diploma in Legal Studies allows entrants from an extremely broad range of backgrounds to obtain a qualification in substantive law that leaves them very well placed to sit and pass the entrance examination to the professional course while continuing to engage in full-time employment. The work-friendly timetable, the excellent course materials and online resources and the use of e-learning software combine to facilitate the maximum possible access to the course. Lectures on the Diploma are now recorded and are made available to students through an online learning platform. This further increases the accessibility of the course for those engaged in full-time employment, attending to family responsibilities or living outside Dublin.
- The modular version of the professional course allows students living outside Dublin and / or engaging in full-time employment to access the course. The vast bulk of modular class sessions take place on weekends, the dates for which are set several months in advance of each academic year. Consequently, many Modular students travel from outside Dublin, and even from outside Ireland, to attend classes on their designated weekends. The availability of the two-year, modular format of the professional course means that the King's Inns is the only educational institution in Ireland where a student can undertake a course leading to a professional legal qualification while also engaging in full-time employment or undertaking other responsibilities. The modular format of the professional course appropriately balances the need for compulsory attendance at lectures and tutorials with ensuring access to legal education and training for those for whom the full-time, weekday course in Dublin would not be feasible for financial, family or personal reasons.

King's Inns is acutely aware of the financial burden on anyone wishing to qualify as a barrister. While there are invariably costs involved in undertaking a professional or

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vocational qualification in any discipline, King's Inns attempts to alleviate financial pressure on prospective barristers in the following ways:

- The provision of part-time courses of education, ensuring that a person can complete the academic phase and the professional phase while continuing to work full-time.
- The provision of bursaries and fellowships, i.e. the Gaffney Scholarship; open to students on the Diploma in Legal Studies course; the McCarthy Bursary; open to students on the professional course; and the Denham Fellowship; also open to students on the professional course. The latter scheme is run jointly with the Bar of Ireland, who ensure that the Denham Fellows will benefit from mentoring, remission of Law Library fees and a maintenance grant in order to alleviate financial pressures during their first few years in practise as a barrister. It is a specific aim of the Denham Fellowship, in particular, to encourage diversity within the profession. All three bursaries and fellowships have at their core the aim of ensuring fuller and more open access to legal education.

Application processes for each of these schemes have been thoroughly reviewed and King's Inns is satisfied that they are as open, transparent and well publicised as possible. Information on each of these financial assistance schemes is freely available on King's Inns' website (and, in the case of the Denham Fellowship, also on the Bar of Ireland's Law Library website). King's Inns also makes every effort to publicise the existence of the financial assistance available via its social media platforms, at open days and during group visits to King's Inns and visits by King's Inns staff to various third level institutions.



## **6. Transfer from the solicitors' profession to the barristers' profession and transfers from other jurisdictions**

While the most common route to admission and call to the Bar in Ireland is via the professional course, this is by no means the only route of entry to the barristers' profession. Other methods of entry are as follows:

- Transfer by solicitors qualified in Ireland;
- Transfer by lawyers qualified in other EU Member States;
- Transfer by barristers from the Northern Ireland Bar;
- *Morgenbesser* applicants.

### *6.1 Transfer by solicitors qualified in Ireland*

A solicitor who has been in continuous practice in the State for three years or more immediately preceding the application to transfer and who has held a practising certificate from the Law Society of Ireland for the entirety of that period (or is exempted from any requirement to hold such certificate) may be admitted to the Degree of Barrister-at-Law and called to the Bar. Prior to being so admitted and called the solicitor must attend the Solicitor Transfer Course at King's Inns which takes place over four weeks in June each year. The course commenced in 2008. Attendance at the course is compulsory but is not examinable.

Since any solicitor with three years of practice experience will already possess considerable knowledge and experience of the role of a legal practitioner, the aim of the solicitor transfer course is to address areas of specific relevance to the Bar in which solicitors will not have had as much prior training as barristers and in which they will not necessarily have practical experience. The aim of the course is to equip solicitors intending to transfer to the Bar with the necessary skills and knowledge required of barristers.

By the end of the Solicitor Transfer Course, participants should be able to carry out a wide range of tasks, including:

- Apply the procedural rules of civil and criminal litigation in a variety of contexts relevant to practice at the Bar;
- Describe, explain and apply relevant professional codes, taking account of the ethical obligations on barristers;

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- Draft pleadings and proceedings in a range of different types of case, including interlocutory applications and judicial review proceedings;
- Draft written submissions;
- Make oral applications (both contested and uncontested) in both civil and criminal cases;
- Research and write legal opinions;
- Examine and cross-examine witnesses; and
- Run a criminal trial and a civil hearing.

The course is taught with all solicitor transfer applicants in the same group and with an emphasis on practical application and interactive learning. The sessions are delivered by practising barristers. The course requires participants to undertake preparatory work in advance of each session, including required reading, research, drafting, opinion writing, case analysis and preparation for advocacy exercises.

Solicitors may attend the transfer course while still on the Roll of Solicitors but must be removed from the roll at least 10 days prior to admission to the degree of Barrister-at-Law.

#### *6.2 Transfer by lawyers qualified in other EU Member States*

Lawyers who are qualified in other EU Member States may apply to King's Inns for admission to the degree of Barrister-at-Law and call to the Bar in Ireland, in accordance with the law of the European Union on the mutual recognition of professional qualifications.<sup>4</sup> Under this procedure, King's Inns facilitates free movement and the mutual recognition of qualifications, while also ensuring that migrant lawyers meet the requirements necessary to entitle them to be admitted to the degree and called to the Bar in Ireland. This is not only mandated by the law, but is essential in order to protect consumers of legal services in Ireland.

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<sup>4</sup> Directive 2005/36/EC (as amended by Directive 2013/55), which facilitates the mutual recognition of qualifications. SI No. 139 of 2008 Recognition of Professional Qualifications (Directive 2005/36/EC) Regulations 2008 states that the Council of King's Inns is the designated competent authority for the profession of barrister in Ireland, for the purpose of applying the Directive.

Lawyers qualified in other EU Member States submit competency to practice and evidence of training and qualifications in their home Member State, including the originals or authenticated copies of their qualifications. An assessment is then made of the extent to which the qualifications are sufficiently similar to those of an Irish barrister. A migrant lawyer may only be required to pass such parts of an aptitude test which cover matters which differ substantially from their legal qualifications. It is common for applicants to be required to sit an aptitude test in one or more subjects before being admitted to the degree and called to the Bar. The nature and extent of the aptitude test(s) required depends in each case on the applicant concerned.

In addition to demonstrating their competency to practice via education and training, the migrant lawyer must also provide contemporaneous evidence that they are of good character, have not been declared bankrupt, and have not been prohibited or suspended from practising in any Member State.

### *6.3 Transfer by barristers from the Northern Ireland Bar*

A member of the Bar of Northern Ireland who has been in practice for at least three years immediately preceding their application may be admitted to the degree of Barrister-at-Law and called to the Bar without taking any aptitude test or examination. A Northern Ireland barrister must produce a certificate from the Lord Chief Justice of Northern Ireland certifying their fitness to be called and copies of their practising certificates. The special rules in place for barristers from Northern Ireland is a recognition of the significant similarities between both jurisdictions on the island of Ireland.

### *6.4 Morgenbesser applicants*

This category comprises applicants who hold legal qualifications of an academic or professional nature (or both) from another EU Member State and who are, as a result, partly qualified in that Member State. The category is named after a decision of the Court of Justice of the EU which requires competent authorities to give applicants appropriate credit for qualifications and training obtained in other Member States.<sup>5</sup> Applicants in this category are

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<sup>5</sup> Case C-313/01, *Christine Morgenbesser v Consiglio dell'Ordine degli avvocati di Genova* [2003] I-13467.

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extremely diverse and include holders of law qualifications from non-Irish institutions within the EU. Any person who falls within this category and who wishes to be called to the Irish Bar is required to provide King's Inns with detailed information in respect of their qualifications. An assessment is then carried out to establish the extent of the knowledge or skills shortfall, if any, between the applicant and a barrister qualified in Ireland. Depending on the extent of the applicant's qualifications and the stage they have reached in their legal training, they will have to make up an appropriate number of assessments.

**Appendix A: Comparative information on education and training of prospective barristers in other jurisdictions**

| Jurisdiction      | Entry requirements   | Provider of education and training  | Duration and format of education and training   | Cost   |
|-------------------|--|---|---|--|
| Northern Ireland  | Recognised law degree of at least 2.1 standard, containing core subjects. Completion of a written admissions test, held by the Institute of Professional Legal Studies. Places limited to 20 students each year. | The Institute of Professional Legal studies, which is governed by the Council of Legal Education. The Council includes the Bar Council of Northern Ireland, the Law Society of Northern Ireland and Queen's University Belfast. | One year, postgraduate course. There is provision for students to study part-time over two years but this is limited to six students per year. Following successful completion of the course, a student is called to the Bar but may not accept instructions on their own account until they have completed 6 months of a 12 month period of pupillage. | Application for admission to the Institute of Professional Legal Studies: £220. Admission to the Institute: £9,350. Total: £9,570 (circa €11,000). |
| England and Wales | Qualifying degree of at  | Various private and   | Bar Professional Training   | GDL course fee: between  |

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|  | <p>least 2.2 standard. Graduate Diploma in Law (GDL) required for applicants without a law degree or where the applicant's law degree does not meet the qualifying criteria. Intending candidates must also pass a Bar Course Aptitude Test (BCAT).</p> | institutional providers.          | <p>Course (BPTC) comprises a one year full-time or two year part-time academic course. This is followed by a mandatory period of 12 months pupillage. A pupil may not accept any instructions in the first six months of pupillage, except in limited circumstances. Access to a pupillage is not guaranteed for those completing the BPTC.</p> | <p>£9,120 and £11,270 (figures from the University of Law).<br/>BCAT fee: £150 - £170.<br/>BPTC course fees, which vary depending on the provider, range from £12,500 to in excess of £20,000.<br/>Total: £21,770 - £31,440 (circa €25,000 - €36,000).</p> |
| <p>Scotland (this comparison is with the advocates profession in Scotland, which is comparable to the barristers profession in Ireland).</p> | <p>Degree in Scottish law. Diploma in Legal Practice from a Scottish university.<br/>Period of training in a solicitor's office of not</p>  | <p>The Faculty of Advocates'.</p> | <p>The pupil must pass the Faculty of Advocates' Scheme of Assessment involving both oral and written advocacy assessments.</p>   | <p>No direct comparison is possible given that the longest period of training is undertaken in the solicitor's office.</p>   |

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|                 | less than 21 months.<br>Faculty of Advocates examinations in nine subjects.   |                                  |  |   |
| New South Wales | Must first be admitted as a lawyer in either New South Wales or another Australian jurisdiction.<br>To be admitted as a lawyer, the candidate must complete a course of not less than three years full-time duration.<br>Must complete the New South Wales Bar examination. | New South Wales Bar Association. | Bar Practice Course of four weeks duration together with a period of pupillage, known as 'reading', which is one year in duration. | No direct comparison is possible given the candidate must be a registered lawyer before commencing training as a barrister.<br><br>The Bar Practice Course itself costs AUS\$3,800. There is also an application fee of AUS\$950 and a fee for the New South Wales Bar examination of AUS\$750.<br><br>Total (for the Bar element of professional training alone): AUS\$5,500 (circa €3,600). |



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| Victoria    | <p>Must first be admitted as a lawyer in either Victoria or another Australian jurisdiction.</p> <p>To be admitted as a lawyer, the candidate must complete a course of not less than three years full-time duration.</p> <p>Must complete the Victorian Bar Entrance examination.</p> | The Victorian Bar.          | <p>Victorian Bar Readers' Course of eight weeks duration together with a period of pupillage, known as 'reading', which is seven months in duration.</p> | <p>No direct comparison is possible given the candidate must be a registered lawyer before commencing training as a barrister.</p> <p>The Victorian Bar Readers' Course itself costs AUS\$6,275. There is a fee for the Victorian Bar examination of AUS\$515. Total (for the Bar element of professional training alone): AUS\$6,790 (circa €4,400).</p> |
| New Zealand | <p>Must first be admitted as a lawyer in New Zealand.</p> <p>To be admitted as a lawyer, the candidate must complete a Bachelor</p>  | Law Society of New Zealand. | A person seeking to be admitted as a barrister must first complete at least three years' relevant full-time legal experience                             | No direct comparison is possible.   |

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|  | of Laws degree approved by the New Zealand Council of Legal Education together with a Professional Legal Studies course. |  | in New Zealand in the five years prior to the application.<br>Applicants must identify the field of law in which they propose to practice and provide supporting evidence of their ability to practice in that area. They must also submit a business plan. |  |
|--|--|--|---|--|

**Appendix B: Comparative information on fees payable for other professional / postgraduate courses in Ireland**

| Course   | Government assistance<br>(if any)                                       | Fee(s) payable  |
|--|---|---|
| Graduate Entry Medicine  |   |   |
| UCD School of Medicine and Medical Science: Graduate Entry Medicine            | [comparative figures suggest tuition fee inclusive of HEA contribution] | GAMSAT: €325<br>CAO application fee (standard paper): €40<br>Healthcare screening: €280<br>Tuition fees: €16,500 per year [course duration 4 years]<br>Total €66,605  |
| RCSI School of Medicine: Graduate Entry Medicine                               | Higher Education Authority contribution: €9,500                         | GAMSAT: €325<br>CAO application fee (standard paper): €40<br>Student contribution charge: €1,000<br>IT fee: €475 (annual)<br>Healthcare screening: €250 (once off)<br>NUI fee: €135 (once off)<br>Tuition fees for year 1: €16,555 [course duration 4 years]<br>Total €66,970 |
| University of Limerick: Graduate Entry Medical School: Graduate Entry Medicine | [comparative figures suggest tuition fee inclusive of HEA contribution] | GAMSAT €325<br>CAO application fee (standard paper): €40<br>Healthcare screening:   |

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|  |  | €250<br>iPad mini: €500<br>Tuition fee: €14,843<br>[course duration 4 years]<br>Total €60,487                                      |
| University College Cork:<br>School of Medicine:<br>Graduate Entry Medicine | [comparative figures<br>suggest tuition fee<br>inclusive of HEA<br>contribution] | GAMSAT €325<br>CAO application fee<br>(standard paper): €40<br>Tuition fees: €14,580<br>[course duration 4 years]<br>Total €58,685 |
| Graduate Entry Pharmacy  |  |  |
| RCSI: Graduate Entry Pharmacy  |  | Total €10,760  |
| Accountancy  |  |  |
| UCD: Master of Accountancy   |  | Total €13,615  |
| Griffith College: ACCA   |  | Total: €12,125   |
| Limerick City College: ACCA  |  | Tuition fees: €2,900<br>[course duration 3 years minimum]<br>Total: €8,700   |
| Cork City College: ACCA  |  | Tuition fees: €2,900<br>[course duration 3 years]<br>Total €8,700  |
| Architecture   |  |  |
| UCD School of Architecture: Professional Diploma in Architecture           |  | Application fee: €50<br>Tuition fee: €2,832.<br>Total €2,882   |
| Actuary  |  |  |
| UCD: MSc Actuarial Science   |  | Total €13,820  |
| <u>Master of Business Administration (MBA)</u>                             |  |  |

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| Trinity College Dublin:<br>MBA |  | Application fee: €40<br>Tuition fee: €34,000<br>Sports Centre Charge<br>€120<br>USI levy €8<br>Commencement fee €135<br>Total €34,303  |
| UCD: MBA                       |  | Tuition fee: €34,500<br>Total €34,500  |
| MSc in Finance                 |  |  |
| Trinity College Dublin:<br>MSc |  | Application fee: €40<br>Tuition fee: €16,000<br>Sports Centre Charge<br>€120<br>USI levy €8<br>Commencement fee €135<br>Total €16,303  |
| UCD: MSc                       |  | Tuition fee: €17,135<br>Total €17,135  |
| Solicitor                      |  |  |
| Law Society of Ireland         |  | Application to sit<br>preliminary examination:<br>€410<br>Entrance examination<br>fees: €840<br>PPC I Tuition fee: €8,300<br>PPC II Tuition fee:<br>€4,500<br>Application to enter name<br>on Roll of Solicitors:<br>€300<br>Total €14,350 |
| PhD                            |  |  |

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|---|--|---|
| Trinity College Dublin:<br>PhD                |  | Total €6,173 per annum<br>[typically lasting four<br>years] €24,692   |
| UCD: PhD                                      |  | Total €6,170 per annum<br>[typically lasting four<br>years] €24,680   |
| Chartered Tax Advisor                         |  |   |
| Irish Tax Institute:<br>Chartered Tax Advisor |  | Part 1 €1,615<br>Part 2 €1,715<br>Part 3 €2,200<br>Annual subscription<br>[three years duration]:<br>€705<br>Total €6,230 |

## Appendix C: Membership of relevant committees

### i. The Council of King's Inns

|   |  |
|---|--|
| <p><b><i>Judicial Benchers Panel</i></b></p> <p>The Hon. Mr. Justice Frank Clarke, Chief Justice (<i>ex officio</i>)</p> <p>The Hon. Mr. Justice George Birmingham, President of the Court of Appeal (<i>ex officio</i>)</p> <p>The Hon. Mr. Justice Peter Kelly, President of the High Court (<i>ex officio</i>)</p> <p>The Hon. Mr. Justice Brian Cregan</p> <p>The Hon. Mr. Justice David Keane</p> <p>The Hon. Mr. Justice John A. Edwards</p> <p>The Hon. Mr. Justice Michael Peart</p> <p>The Hon. Mr. Justice David Barniville</p> <p>The Hon. Ms. Justice Marie Baker</p> | <p><b><i>Bar Council Panel</i></b></p> <p>Mr. Paul McGarry SC, Chairman (<i>ex officio</i>)</p> <p>Mr. Seán Ó hUallacháin, Treasurer (<i>ex officio</i>)</p> <p>Ms. Mary Rose Gearty SC</p> <p>Mr. Damien Colgan SC</p> <p>Ms. Venetia Taylor BL</p> <p>Mr. Joseph O'Sullivan BL</p> <p>Mr. Dara Hayes BL</p> <p>Mr. Darren Lehane BL</p> <p>Mr. Tony McGillicuddy BL</p> <p>Ms. Rachel Baldwin BL</p> |
| <p><b><i>Bar Benchers Panel</i></b></p> <p>Mr. Denis McCullough SC</p> <p>Mr. Hugh Mohan SC</p> <p>Mr. James O'Reilly SC</p> <p>Mr. Hugh O'Neill SC</p> <p>Mr. John B. Peart SC</p> <p>Mr. John Rogers SC</p> <p>Mr. Michael McDowell SC</p> <p>Mr. Fergal Foley BL</p> <p>Mr. Michael Collins SC</p> <p>Mr. Tom Mallon BL</p>  | <p><b><i>Practising Bar Panel</i></b></p> <p>Mr. Tadgh Dorgan BL</p> <p>Mr. Brian Foley BL</p> <p>Mr. Arran Dowling-Hussey BL</p> <p>Mr. George Maguire BL</p> <p>Mr. Tom Murphy BL</p> <p>Mr. Barry Ward BL</p> <p>Ms. Imogen McGrath BL</p> <p>Ms. Susan Lennox BL</p> <p>Ms. Elizabeth Donovan BL</p> <p>Mr. Gerard N. Murphy BL</p>  |
| <p><b><i>Circuit Court Judge</i></b></p> <p>Her Hon. Judge Jacqueline Linnane</p>   | <p><b><i>Attorney General</i></b></p> <p>Mr. Seamus Woulfe SC</p>  |
| <p><b><i>Non-Practising Barristers</i></b></p> <p>Mr. Brian Byrne</p> <p>Mr. John Holohan</p>   |  |



The Honorable Society of King's Inns – Submission to the Legal Services Regulatory Authority on Education and Training Arrangements in Ireland for Legal Practitioners

ii. The Standing Committee

|    | <b><i>Ex Officio Members</i></b>  |  |
|----|---|--|
| 1  | Mr. Hugh O'Neill SC   | Chairman of the Council of King's Inns       |
| 2  | Mr. Hugh Mohan SC   | Hon. Treasurer of the Council of King's Inns |
| 3  | Ms. Imogen McGrath BL   | Hon. Secretary of the Council of King's Inns |
| 4  | Mr. Paul McGarry SC   | Chairman of the Bar Council                  |
| 5  | Mr. Seán Ó hUallacháin SC   | Treasurer of the Bar Council                 |
| 6  | The Hon. Mr. Justice Brian Cregan<br>Chairman Education Committee ( <i>ex officio</i> ) | Chairman of the Education Committee          |
| 7  | The Hon. Mr. Justice David Barniville   | Chairman of the Commons Committee            |
| 8  | Mr. James O'Reilly SC   | Chairman of the Library Committee            |
|    | <b><i>Elected Members</i></b>   |  |
| 9  | The Hon. Ms. Justice Mary Finlay Geoghegan  | Elected by the Judicial Benchers             |
| 10 | Mr. Michael McDowell SC   | Elected by the Bar Benchers                  |
|    | <b><i>Co-opted Members</i></b>  |  |
| 11 | Mr. Tom Mallon BL   |  |
| 12 | Ms. Eileen Barrington SC  |  |

iii. The Education Committee

|   | <b><i>Committee Member</i></b>                  | <b><i>Panel of Council</i></b> |
|---|---|--------------------------------|
| 1 | The Hon. Mr. Justice Brian Cregan<br>(Chairman) | Judicial Benchers' Panel       |
| 2 | Mr. Michael Collins SC                          | Bar Benchers' Panel            |
| 3 | Mr. Joseph O'Sullivan BL                        | Bar Council Panel              |
| 4 | The Hon. Ms. Justice Elizabeth Dunne            | Judicial Benchers              |

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|    |                                  |                          |
|----|----------------------------------|--------------------------|
| 5  | Mr. Barry Ward BL                | Practising Bar Panel     |
| 6  | Mr. Hugh Mohan SC                | Bar Benchers' Panel      |
| 7  | Ms. Elizabeth Donovan BL         | Practising Bar Panel     |
| 8  | The Hon. Ms. Justice Marie Baker | Judicial Benchers' Panel |
|    | <b><i>Co-opted Members</i></b>   |                          |
| 9  | Mr. Peter Somers BL              |                          |
| 10 | Mr. William Abrahamson BL        |                          |
| 11 | Ms. Gráinne Larkin BL            |                          |