

Legal Services Regulatory Authority

Invitation for submissions on Admission Policies of the Legal Professions

Submission of the Association of Judges of Ireland

1. The AJI offers this submission on the proposal of the LRSA to make, and report to the Minister, an assessment as to whether the numbers of persons admitted to practice as barristers and solicitors is consistent with the public interest in ensuring the availability of legal services at a reasonable cost.
2. Legal practitioners play an important role in the efficient and effective administration of justice.
3. The courts expect and require high standards of professional competence.
4. It is the view of the AJI that the foundation of the ability of legal practitioners to discharge their duties to the courts, as well as to serve their clients at the level which their clients are entitled to expect, is a thorough knowledge and understanding of the law. While barristers and solicitors – nowadays sooner in their careers than in the past – often specialise, it is the view of the AJI that all practitioners should have a good general grounding in the law.
5. The AJI recognises that the cost of legal services can be a barrier to access to justice.
6. The AJI recognises the public interest in ensuring the availability of legal services at a reasonable cost but submits that it is important that any measure designed to reduce cost should not impact negatively on the quality of legal services.

7. The professional training of barristers and solicitors is built upon their competence on admission to the Law Society or the King's Inns, as the case may be.
8. Section 13(4) of the Act of 2015 sets out six objectives to which regard is to be had in regulating the provision of legal services. These objectives include the promotion of competition in the provision of legal services, the promotion of the public interest, the supporting of the proper and effective administration of justice, and the encouragement of an independent, strong and effective legal profession. It is submitted that in pursuit of the objective of protecting and promoting of the interests of consumers, the need to ensure high professional standards should be always to the fore.
9. The AJI is particularly concerned by the declared aspiration to ensure a merely "*adequate*" standard of education and training for persons admitted to practice.
10. The AJI is of the view that the Authority should not risk diminishing requisite professional standards in the hope that an increase in the numbers of lawyers might reduce the cost of legal services.
11. It follows, it is submitted, that, while the level of legal costs is clearly a significant matter in other contexts, the cost of legal services should not be a significant factor in reviewing the admission policies of the accrediting authorities.

20th January, 2020