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30th August 2019

**Legal Services Regulatory Authority: Section 34 Consultation
Submission on behalf of
School of Law and Government
Dublin City University (DCU)**

To whom it may concern,

I am writing to you on behalf of the law staff within the School of Law and Government at Dublin City University (DCU), in order to share our views on the education and training arrangements in the State for legal practitioners, pursuant to s 34(1)(a) of the Legal Services Regulation Act, 2015. We welcome the opportunity to make this further submission to support the important work of the Authority. We refer to our letter of submission dated 28th June 2018. We also note the report of the Legal Services Regulatory Authority 2018 from Hook Tangaza consultants (“the report”) and the 14 proposals for reform of the education and training of legal practitioners in Ireland contained therein.

We wish to focus on the particular recommendations regarding changes to the arrangements for accessing legal practitioner education and training, specifically the recommendations in relation to FE-1s and pathway to qualification as a solicitor.

As per our letter of 28th June 2018, we highlight the following: At present graduates having taken a full three or four years of an undergraduate law degree are spending an additional year or two studying for and undertaking the FE-1 examinations for entry to the Law Society of Ireland. We suggest that these examinations, or an equivalent, should exist for those who either do not have an undergraduate degree in law, or who did not do as well as they might have wished in an undergraduate law degree and now seek a second chance at entry. The lack of exemptions for law graduates is particularly problematic. It is noted that exemptions from

entrance examinations are granted across other (comparable) professions, such as accountancy, tax and actuarial studies.

The consensus from stakeholders is that the requirement of FE-1s results in an unnecessary duplication of learning. The cost and delay for law graduates in entering the profession (because of the FE-1s) is noted. Similarly, there are also concerns over the costs of preparatory courses, which are increasingly necessary with the high failure rate of FE-1s and the potential competitiveness impact of these exams. Further, there are doubts over effectiveness of transfer arrangements to fill gaps between professional experience adequately.

Proposals 7 and 8 of the report: Admission to the professional programmes should be based on recognised University programmes benchmarked against the competence framework. This is a welcomed proposal in addressing some of the concerns around the requirements of FE-1s. In terms of the practical implementation of these proposals, this would require investment in the necessary resources (primarily in human capital) and strategic collaboration from key stakeholders in the legal profession and relevant law schools within universities. The potential costs envisaged in establishing this competence framework surround the personnel required, as well as the associated administration involved at each stage of such work. The time and resources required in developing a common set of competencies and standards across university programmes is also estimated to be a considerable cost involved.

Proposal 12: Transfer arrangements between professions to be reviewed once a new competency framework is in place. The current position regarding transfer between professions results in barriers to entering the legal profession. In terms of the practical implementation of this proposal is dependent upon the establishment of a competency framework and a common set of standards, as noted above.

Proposal 13: Process for foreign (non- EU) transfers and agreements to be assessed against a new competency framework, once in place. The process for foreign transfers in this field present similar barriers to entering the profession, which are in need of reform. In terms of the practical implementation of this proposal is dependent upon the establishment of a competency framework and a common set of standards, as noted above.

Finally, we at DCU welcome the 2018 report of the LSRA in the reform of the legal profession and look forward to contributing to the implementation of the proposals contained therein.

Kind regards,



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