

The Legal Aid Board welcomes the opportunity to make a submission to the Legal Services Regulatory Authority in relation to the future of training of members of the legal profession.

The Legal Aid Board represents approximately 12,000 clients per year. The majority of clients advised and represented must meet 'financial eligibility' criteria which, as a result, means that the client base of the Legal Aid Board are generally persons of lower income. Quite often the demographic of clients presenting to the Legal Aid Board have multiple legal and other social issues; have health difficulties and often times are experiencing poor mental health. Often, clients seeking legal advice are of limited education and/or may not speak English as their first language. It is extremely important that the legal profession is sufficiently diverse in personnel and in training.

Diversity of lawyers:

The Legal Aid Board endorses the principal in Proposal 10 Additional Routes to Qualification within the 'Review of Legal Practitioner Education and Training' and anticipates that the implementation of such a recommendation will encourage greater diversity in the profession. Lawyers with a broad understanding of wider societal issues and a more diverse range of qualified lawyers within this organisation would further enhance the service delivery and be more representative of the wider client base.

Specific Legal Training:

The Legal Aid Board recommends that the areas of training for legal professionals be reviewed and expanded.

Areas of Practice:

Core areas of practice for the Legal Aid Board are family law and child care law. Family law, in particular, is an area of practice for many small to medium sized firms also. The Legal Aid Board employs staff to represent clients in family law but also financially aids private practitioners around the country to represent clients through Private Practitioner Panels. This is one particular area of law that the Legal Aid Board believes should be core to a professional practice course.

Core skills:

The Legal Aid Board recommends that in any future development of training programmes that there should be a greater focus on core skills, such as advocacy, drafting, negotiating, taking instructions and in particular, taking instructions from a client who may be distressed or who may have difficulty communicating. Additionally, many legislative framework, court models, tribunals and commercial instruments are moving towards alternative dispute resolution including mediation. The Legal Aid Board recommends that at the forefront of any professional training course should be the development of alternative dispute resolution mechanisms.

In relation to advocacy, lawyers in the Legal Aid Board have the opportunity to advocate in courts and in the International Protection Appeals Tribunal on a daily basis on behalf of clients. There are many other disciplines not specific to the Legal Aid Board such as employment, criminal and District Court Civil Law where this is also applicable. A requirement to have an examined standard of advocacy would ensure a much greater and more cost efficient model for all clients not just clients of the Legal Aid Board.

Additional areas for development of professionals:

One of the gaps in the development of lawyers is the development of emotional intelligence and people management skills. Courses being offered as additional CPD are addressing this gap, however, developing emotional intelligence as part of any professional training instils self awareness, a greater ability to understand personal drive, promotes self care, and promotes an awareness of others including the client. The Legal Aid Board would welcome the development of modules developing emotional intelligence as core to a professional training course.