



11 May 2021

Invitation by the Legal Services Regulatory Authority for Written Submissions on Barriers for Early Career Solicitors and Barristers and Increasing Diversity

The Legal Services Regulatory Authority invites written submissions as part of a public consultation prior to a report to the Minister for Justice in relation to the economic and other barriers for early career solicitors and barristers.

The Authority is conducting a public consultation under section 34(1)(d) of the Legal Services Regulation Act 2015 as part of its preparation of a report to the Minister.

The consultation is based on a request from the Minister for Justice for the Authority to:

“Consider the economic and other barriers faced by young barristers and solicitors following their qualification from the King’s Inns and Law Society respectively and to submit a report with recommendations for her consideration.”

The Minister has stated that this research is part of her plan to [increase diversity across the justice sector](#) including the legal profession. The Minister has asked the Authority to examine:

- The remuneration of trainee barristers and solicitors;
- The other costs associated with joining each profession;
- The information available to prospective trainee barristers and solicitors on available masters and solicitors firms; the information available on the terms and conditions available, and how they are selected;
- Any other barriers faced by young barristers and solicitors, including the ability to take maternity leave.

The Minister has also asked that the Authority pay particular attention to equity of access and entry into the legal professions, and the objective of achieving greater diversity within the professions.

The LSRA will shortly be conducting online anonymous surveys of trainee and practising solicitors and barristers with up to seven years post qualification experience working in firms, in private practice, and in-house in the public and private sectors. The LSRA also intends to survey undergraduate law students. The research will also involve a series of in-depth interviews with trainee and early career solicitors and barristers.



Scope of the Consultation

The Authority seeks submissions in respect of the economic and other barriers and challenges faced by solicitors and barristers at the start of their careers and also potential solutions to include the following issues:

1. The **key economic and other barriers to entry** to the professions of solicitor and barrister, and their impact in terms of equity of access and entry into the legal professions and the objective of achieving greater diversity within the professions.
2. Proposals on how **key economic and other barriers to entry** to the professions of solicitor and barristers may be addressed in order to improve equity of access and entry into the legal professions and achieve greater diversity within the professions, and by whom.
3. The **other costs associated** with joining each profession.
4. The **quality of apprenticeship selection processes** – including the information available to prospective barristers on available Masters for their pupillage year, and to prospective trainee solicitors on training firms – and any impact this may have on the objective of increased diversity.
5. The **availability and quality of “on-the-job” mandatory apprentice training** for solicitors and the “devilling” programme for barristers. This includes “terms and conditions,” remuneration, arrangements for supervision and oversight, support and evaluation, and any impact the existing availability and quality of this training/experience may have on access and diversity.
6. The extent to which **existing arrangements for the remuneration of trainee barristers** during the pupillage year poses a barrier in terms of equity of access to and diversity within the barrister profession.
7. The extent to which **existing arrangements for the remuneration of trainee solicitors** during their in-office training poses a barrier in terms of equity of access to and diversity within the solicitor profession.
8. The arrangements in place and provision for **maternity/adoptive leave for solicitors and barristers** and the extent to which availing of such leave may have implications for career progression.
9. The **key economic and other challenges for early career** solicitors and barristers (up to seven years post-qualification experience) in **maintaining and building their careers** in the professions, and their impact in terms of the objective of achieving greater diversity within the professions.
10. Proposals on how these **key economic and other challenges for early career** solicitors and barristers may be addressed, and by whom, in order to achieve greater diversity within the professions.



The above list of issues is not closed. Respondents may wish to comment also on other issues which may be relevant to the issue under consideration. Respondents may also wish to comment on one branch of the legal profession or both. It would be helpful for any views expressed to be substantiated and, if necessary, supported with any available evidence. Responses which provide insight into the experience of arrangements in operation in other relevant jurisdictions would also be useful.

Regulatory Objectives

In considering any evidence presented, the LSRA will be guided by the regulatory objectives set down in section 13 of the 2015 Act, which are:

- (a) protecting and promoting the public interest,
- (b) supporting the proper and effective administration of justice,
- (c) protecting and promoting the interests of consumers relating to the provision of legal services,
- (d) promoting competition in the provision of legal services in the State,
- (e) encouraging an independent, strong and effective legal profession, and
- (f) promoting and maintaining adherence to the professional principles of independence and integrity, acting in the client's best interests, compliance with duties owed to the court and confidentiality.

Following the public consultation and other evidence gathering activities including surveys and in-depth interviews, the Authority will draw up a report to be submitted to the Minister for Justice.

Deadline for Submissions

This consultation is seeking views from a wide range of organisations and individuals in the legal services arena, including law firms, members of the legal professions, trade unions, academics, experts, statutory agencies, representative bodies, voluntary associations, non-governmental organisations and consumers of legal services.

Respondents are asked to indicate on whose behalf they are responding, for example as an individual or a firm/organisation within the solicitor or barrister profession, a client or a body representing collective interests etc.

Interested parties wishing to contribute to the consultation should send a written submission as soon as possible but in any event to be received no later than 30 June 2021.

The Authority may contact respondents to explore any issues raised in responses in more depth and it will also be gathering evidence to use in its report from a variety of other sources.

Submissions may be sent:

- By e-mail to: publicconsultations@lsra.ie
- By post to: Section 34 Consultation
Legal Services Regulatory Authority
P.O. Box 12906, Dublin 7



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

Freedom of Information

Attention is drawn to the fact that information provided to the Authority may be disclosed in response to a request under the Freedom of Information Act, 2014. Therefore, should it be considered that any information provided is commercially sensitive, please identify same, and specify the reason for its sensitivity. The Authority will consult with interested parties making submissions regarding information identified by them as sensitive before making a decision on any Freedom of Information request. Any personal information, which you volunteer to the Authority, will be treated with the highest standards of security and confidentiality and in accordance with the Data Protection Acts, 1998 and 2003 and the General Data Protection Regulation (GDPR) when commenced.

Publication of Submissions

The Authority intends where appropriate to publish any submissions received by it on its website and otherwise. Please note that a decision on any such publication may occur without prior consultation with respondents to this consultation notice. It is in the interest of respondents to highlight in their submissions any commercially sensitive or confidential information which they would not wish to be disclosed.

ENDS

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