



**An Bord Um
Chúnammh Dlíthiúil**
Legal Aid Board

Legal Aid Board Submission to the LSRA in relation to Admission Policies

Number of Persons Admitted to Practise during 2020

The Legal Aid Board welcomes the opportunity to make a submission to the Legal Services Regulatory Authority.

Number of Persons Admitted to Practise during 2020

The Legal Aid Board continued to find recruitment of solicitors challenging throughout 2020, with limited numbers applying for solicitor competitions compared with other public sector bodies.

Proposal to expand the numbers qualified:

1. Universities be afforded the capacity to provide professional accredited training, and, or
2. The Law Society of Ireland, should actively work with University Access Programmes to support the continued training of students interested in a professional career as a barrister or solicitor.

In relation to the second proposal, it is noted that there is an access programme within the Law Society of Ireland. The Law Society of Ireland has also launched a Diversity charter which firms can also commit to. These developments are welcomed.

Low Cost Legal Service

The Legal Aid Board believes that this is one element of a much larger piece of work around access to justice, adequate provision of Legal Aid etc. however, where the professional training is limited to one service provider, this potentially impacts on the numbers of solicitors qualifying, and as a consequence the issue of cost.

Adequate Standard of Training

In September 2019 the Legal Aid Board made a submission on the education of lawyers to the LSRA in the following manner:

'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.'

The above content is relevant to the question from the perspective of numbers qualifying and the proportion of those numbers who have an interest and an adequate understanding of the areas of law practised within the Legal Aid Board.

It is noted that the Law Society launched a Hybrid traineeship programme in December 2019. Whilst the cost of this course is still extremely prohibitive, the manner in which the first part of the course is structured (i.e. not requiring the student to be working in a legal firm) does make it somewhat more accessible. As this first cohort proceed to entering training contracts, the Legal Aid Board will be interested to see the numbers who have managed to secure such training contracts and whether there is a drop off between the first part of the course and the traineeship.

The level of demand for solicitors and barristers in 2020 / The impact of the Covid-19 pandemic of 2020 and Brexit on the above matters

Covid-19 had an impact on Legal Aid Board solicitors being aware and vocal in relation to their own physical and mental wellbeing. The pandemic provided scope for staff of the Board to demonstrate it's adaptability as an organisation delivering services to the public.

Whilst some aspects of the work of the Legal Aid Board were hampered by the restrictions, other aspects such as Domestic Violence and Childcare were remained active. The staff of the Legal Aid Board very quickly and readily adapted to the new working environment. A few key measures were introduced during March, April, May 2020:

- A legal & mediation information helpline was set up
- A duty solicitor programme was in operation in Dolphin House to respond to domestic violence cases;
- Enhanced information was made available on our website and is regularly updated;
- Essential services continued to be provided in certain offices.
- In addition to the above, to ensure that service providers continued to be paid for their necessary work supporting the delivery of the Ad Hoc Criminal Legal Aid Schemes, Services delivered through private solicitors, staff in Legal Services, Criminal Legal Aid and the Finance Unit continued to provide an efficient and effective service delivery, backed up by our staff in IT.