

By email to: publicconsultations@lsra.ie

February 21, 2023

Re: Section 33 Consultation

To the Legal Services Regulatory Authority of Ireland,

I am writing to offer my insights on the issue of education and training standards for individuals practicing law in Ireland and its implications for foreign qualifications. As someone who has completed a Bachelor of Arts (hons) degree in Law and Japanese from Dublin City University, I faced a predicament of either taking the FE-1 examinations or moving to Canada and undertaking the NCA assessment and the bar exam. I chose the latter, assuming that both Ireland and Canada follow a common law legal system and have a structured educational assessment framework. However, my degree was not recognized by the NCA in Canada, and I had to complete an LLB program in the UK and an LLM in Canada to meet their requirements.

Current State

The National Committee of Accreditation in Canada does not recognize the Law Society of Ireland or the Legal Services Regulatory Authority as the body that assesses law degrees for the entry into the legal profession. It does however recognize the Honourable Society of the Kings Inns as they have a list of 80+ law degrees that are accepted to complete their entrance examination. This list is similar to the current list of approved qualified law degrees governed by the Solicitors Regulation Authority in the UK.

Issues

Although the Kings Inns' list has a large number of traditional law degrees, it does not include many dual major law degrees that aim to give students a law degree with another practical area of specialization. This means that students and lawyers alike who have not completed a law degree that is on that list and who wish to qualify to practice in Canada, will not be eligible to be reassessed on a like-for-like basis. Their degree will not be counted as a qualified law degree and they will be directed to go back to law school in order to satisfy the Canadian 3 year legal educational requirement.

This is an issue as it undermines the quality of legal education that law students and lawyers receive who would like to continue their legal career in other jurisdictions other than in Ireland. It also limits legal professionals who wish to qualify in Canada but do not have a law degree listed on the Kings Inns website.

Proposition

I feel a task force should be set up to forge and strengthen bilateral relations between other law societies to ensure there is cohesion in understanding the Irish assessment processes. It is crucial to understand foreign assessment policies and to communicate with other law societies to help streamline assessment processes and to ensure that members of the profession are not disadvantaged by various nuances. Findings and assessment agreements should be communicated to members and students to aid them in making better strategic career and life decisions. I hope my perspective will help professionals in a similar situation to avoid similar frustrations.

Regards,

Benjamin Rozek