

Invitation for Written Submissions on Admission Policies of the Legal Professions in 2022

Submissions from Yvonne Kelly, Law Agent Dublin City Council.

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Introduction:

Local Authorities are extensive users of legal services. There are 31 local authorities, 9 of which have internal legal departments and a Law Agent. There are more and more statutory and state bodies engaging in-house counsel. There is increased competition between public sector bodies in securing qualified professional staff. There is a need for statutory bodies and the state sector to provide more training opportunities for those wishing to qualify as solicitors and barristers. There is a need for professional training to offer modules concerning corporate governance, statutory bodies, local authority law, ethics and what is known as environmental social and governance (ESG). I have used the following text provided in the LSRA consultation note to structure my submission.

Scope of Section 33 Consultation

The Authority invites written submissions in respect of the admission policies of the legal professions to include the following issues:

1. The level of demand for the services of practising barristers and solicitors in 2022.

There is a notable increase in the demand for professional services which no doubt is linked to increases in population, increase in the complexity of the legal environment and ever changing legislation. State bodies and local authorities should be more involved in the training of legal professionals by having trainee solicitor programmes, providing and advertising secondment opportunities to state bodies and public bodies and working with the Law Society and other training bodies on the delivery of their courses.

2. The costs of legal services in 2022 and whether these were available at a reasonable cost to consumers.

There is also an issue as to the cost to the public purse of legal service to the state and to public bodies. These costs can also indirectly effect the cost to consumers of legal services.

3. The standard of education and training for persons admitted to practise.

Possibilities for improvement to standard of education delivered;

- *Training bodies to provide greater understanding of the users of legal services such as the State and Local Authorities and their needs.*
- *Provision of specific training/modules public law with reference to the specialised legal practitioners in this area. (A better understanding of the state and how it works will lead to delivery of better legal services and better outcomes for clients in both private and public sector)*
- *Providers of legal services to the private sector need to understand how the public sector works in order to better serve their clients*
- *More focus on administrative law and the practical fact that admin law impacts all citizens in their daily lives.*

4. The extent to which the admission policies of the legal professions are consistent with the public interest in ensuring the availability of legal services at a reasonable cost, taking into account the demand for services and the need to ensure adequate education and training standards for persons admitted to practise.

Provide more access to legal education for groups who would not traditionally have had access – underprivileged, targeted public sector access programmes, partnership/outreach programmes with public sector bodies, facilitation of secondments between private and public sector.

5. Any ongoing impact of Brexit and the Covid-19 pandemic on the above matters. The above list of issues is not closed. Respondents may wish to comment on any other issues which have a bearing on the admissions policies of the legal professions and the assessment to be conducted under section 33(1)(c).

Covid-19 pandemic made real changes to the delivery of legal education on line and clarified the possibilities. Online delivery of legal education is a positive development and provides access to more to legal education.

Respondents may also wish to comment on any other issues in relation to the operation of the Act including the objectives of the Authority under section 13(4) of the Act, which are:

a) protecting and promoting the public interest,

Education on citizenship, government, the rule of law should be a continuing feature of all education and in particular legal education. It is an important part of the protection of our democratic values which can be promoted and supported via the legal profession.

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. It would be helpful for respondents to set out reasons for views expressed, and to provide any available evidence which may be deemed relevant