



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

Section 33 Consultation
Legal Services Regulatory Authority
P.O. Box 12906
Dublin 7

11 February 2025

Sent by email only to: publicconsultations@lsra.ie

Re: Consultation on the admission policies of the legal professions

A chairde,

As you will be aware, the Irish Human Rights and Equality Commission is both the ‘A’ status National Human Rights Institution and the National Equality Body for Ireland, established under the Irish Human Rights and Equality Commission Act 2014. We are the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities; the independent National Rapporteur on the Trafficking of Human Beings; will be assigned the role of the Co-ordinating National Preventive Mechanism under the Optional Protocol to the Convention against Torture, pending ratification; and have been named as an Article 77 body under the EU Artificial Intelligence (‘AI’) Act. Alongside Northern Ireland’s national human rights and equality bodies, we have a mandate to consider and report on equality and rights issues with an island of Ireland dimension. We also have legal powers under the Gender Pay Gap Information Act 2021.

We welcome the invitation to provide our observations on the admission policies of the legal professions. Access to justice is a priority area of focus for the Commission, and our Strategy Statement 2025-2027 commits us to strengthen access to justice by working with rights holders and duty bearers. Our Strategy Statement also commits us to support the development of capacity within public bodies to meet their Public Sector Equality and Human Rights Duty, monitor implementation, and support compliance. The Public Sector Duty is a key consideration in examining the admission policies of the legal profession to ensure you have regard to, in the performance of your functions, the need to eliminate discrimination,



promote equality of opportunity and protect the human rights of its members, staff and persons to whom it provides services.¹

Equality and human rights proofed admission policies are a key measure in ensuring a legal profession that is reflective of the diversity within Irish society. Increased representation of structurally vulnerable groups in the legal profession is important for structurally vulnerable group's access and experience of the legal system. Structural barriers to a more diverse legal profession should be identified and removed.

In examining admission policies, we would like to draw specific attention to two Commission-funded research reports concerning access to justice for structurally vulnerable groups.² Both reports offer concrete recommendations to address barriers to accessing the legal profession for Travellers and disabled people.

The appendix below sets out our observations on education and training for the legal profession, diversity within the legal profession, and the costs of legal services.

In line with our publications policy, this letter will be published on our website. This policy only pertains to IHREC-issued communications, and not to correspondence received by us.

Yours sincerely

Deirdre Malone

Director

¹ IHREC, [Implementing the Public Sector Equality and Human Rights Duty: Guidance for Public Bodies - Second Edition](#) (2024).

² Charles O'Mahony, [Access to Justice: A Baseline Study of Article 13 of the UN Convention on the Rights of Persons with Disabilities](#) (2024); Sindy Joyce, Olive O'Reilly, Margaret O'Brien, David Joyce, Jennifer Schweppe and Amanda Haynes, [Irish Travellers' Access to Justice](#) (European Centre for the Study of Hate, 2022).



APPENDIX

Access to education

We welcome your recent research and recommendations to address barriers to entry to the legal professions and to increase diversity.³ Pathways to the legal profession for structurally vulnerable groups have to be analysed in the wider context of barriers to accessing further and higher education in Ireland which lead to poor participation rates and educational outcomes.⁴ Only 10% of Irish higher education undergraduate students come from disadvantaged areas.⁵ Access to further and higher education is impacted by lack of finance, lack of clarity on educational and financial supports, insufficient entry pathways, limited knowledge of the application process, and awareness of alternative routes to education. Such exclusion can result in multi-generational unemployment, poor health and poverty. Specific and targeted measures are needed to address the barriers faced by structurally vulnerable groups including disabled people, young people in care, women, lone parents, Travellers and Roma. Migrants, refugees and asylum seekers. There is a need for additional integrated supports to structurally vulnerable groups to increase access to further and higher education, including access to legal practitioner education and training.

Training

More broadly, we have consistently called for equality and human rights standards to be central to the initial and continuous training of all legal professionals.⁶ Specifically we have called for specialist training for legal professionals on family law,⁷ hate speech and hate

³ Legal Services Regulatory Authority, [LSRA reports identify entry and early career barriers and propose reforms to open up access to legal professions and increase diversity](#) (18 September 2024).

⁴ Detailed in IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights: Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report](#) (2024) p. 140-152.

⁵ Parliamentary Budget Office, [Public Service Performance Metrics: Higher Education Access and Outcomes](#) (2022).

⁶ IHREC, [Developing a National Action Plan Against Racism: Submission to the Anti-Racism Committee](#) (2021) p. 60.

⁷ IHREC, [Submission on the General Scheme of the Family Court Bill](#) (2021) pp. 3-4.



crime,⁸ domestic, sexual and gender-based violence,⁹ and enhanced cultural competency training.

Disabled people

In December 2024, we released our first publication under our mandate as the Independent Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities ('UNCRPD').¹⁰ The study examined the implementation of the Convention with regards to access to justice for disabled people in Ireland. The study was accompanied by a policy brief with our recommendations to those in the justice system on realising the rights of disabled people.¹¹

The research identified concerns regarding lack of diversity within the legal professions.¹² We note your recent commentary, which recommended that you should engage with law firms and professional bodies to ensure a positive workforce culture, to explore innovative solutions including financial supports, and to collect and publish data on the diversity profile of the legal profession.¹³ We recommend that the Legal Services Regulatory Authority, along with the Bar of Ireland, the Law Society, Kings Inns and Department of Justice take steps to increase diversity within the legal professions by implementing support schemes that offer

⁸ IHREC, [Submission on the General Scheme of the Criminal Justice \(Hate Crime\) Bill](#) (2022).

⁹ IHREC, [Ireland and the Council of Europe Convention on preventing and combating violence against women and domestic violence](#) (2022) p. 84.

¹⁰ Charles O'Mahony, [Access to Justice: A Baseline Study of Article 13 of the UN Convention on the Rights of Persons with Disabilities](#) (2024).

¹¹ IHREC, [Access to Justice: Implementation of Article 13 of the UN Convention on the Rights of Persons with Disabilities – Policy Brief](#) (2024).

¹² Specific barriers described in the research findings include limitations with or lack of accommodations (ISL interpretation for example) and financial barriers (the cost of legal training, when compounded by the additional expense of necessary support for disabled people, was described as nearly prohibitive); Charles O'Mahony, [Access to Justice: A Baseline Study of Article 13 of the UN Convention on the Rights of Persons with Disabilities](#) (2024) pp. 119-120.

¹³ Legal Services Regulatory Authority, [LSRA reports identify entry and early career barriers and propose reforms to open up access to legal professions and increase diversity](#) (18 September 2024). We note the response to this publication by the then Minister for Justice. Department of Justice, [Minister McEntee publishes plan to address barriers to entry to legal professions and early career progression](#) (31 October 2024).



financial assistance and mentorship to disabled legal professionals, address workforce culture and make visible the diversity profile of the profession.¹⁴

The experience and progression of legal professionals within the legal system is influenced by the knowledge and attitudes prevalent within that system, and the report raised concerns regarding the knowledge and awareness of disability, accessibility and diversity within the legal system. We recommend mandatory and comprehensive training for solicitors and barristers on disability awareness and realisation of UNCRPD rights.¹⁵ Training should include a module on effective communication techniques, especially for interacting with non-verbal clients,¹⁶ and there should be training on how to effectively serve the needs of the Deaf community.¹⁷ Disabled people and their representative organisations should be centrally involved in the design and development of these modules.

We would also draw attention to the 2023 decision of the Workplace Relations Commission in finding that Griffith College contravened the Equal Status Acts by not providing equal access to a Deaf person, who we provided legal representation to, to a course designed to prepare students for the King's Inns entrance exams.¹⁸ The decision highlights the importance of providing reasonable accommodation and a service provider having a 'clear understanding' of a person's needs.

Travellers

In 2022, our funded research report was published concerning the relationship between Travellers and the criminal justice system.¹⁹ Among the recommendations of the report is a

¹⁴ IHREC, [Access to Justice: Implementation of Article 13 of the UN Convention on the Rights of Persons with Disabilities – Policy Brief](#) (2024) p. 45.

¹⁵ IHREC, [Access to Justice: Implementation of Article 13 of the UN Convention on the Rights of Persons with Disabilities – Policy Brief](#) (2024) pp. 35, 43-44.

¹⁶ IHREC, [Access to Justice: Implementation of Article 13 of the UN Convention on the Rights of Persons with Disabilities – Policy Brief](#) (2024) p. 34.

¹⁷ IHREC, [Access to Justice: Implementation of Article 13 of the UN Convention on the Rights of Persons with Disabilities – Policy Brief](#) (2024) p. 33.

¹⁸ IHREC, [Commission Welcomes Important WRC Decision on failure of College to Provide Equal Access to Course](#) (17 July 2023).

¹⁹ Sindy Joyce, Olive O'Reilly, Margaret O'Brien, David Joyce, Jennifer Schweppe and Amanda Haynes, [Irish Travellers' Access to Justice](#) (European Centre for the Study of Hate, 2022).



mentoring programme for all new Traveller entrants to the legal profession, the funding of preparatory courses to complete FE1 exams or to sit the examinations for the Bar Council of Ireland, and the payment of all Travellers trainees across the legal profession.²⁰ The authors of the report emphasised the need for the introduction of training on cultural competency, anti-racism and equality across the legal system.²¹ This training should specifically address the experiences and needs of Travellers. There should be a publicly available register of legal practitioners who have completed anti-racism, equality, and cultural competency training specific to Travellers. The authors also recommended for the annual publication of data within the legal system for the recruitment, hiring and promotion of underrepresented groups, particularly Irish Travellers, disaggregated by ethnicity and gender.²²

Gender

To address gender stereotyping in the justice system, we called for the Legal Services Regulatory Authority and the Minister for Justice to consider the incorporation of equality training into barrister-at-law and solicitor training.²³ We also recommended the adoption of measures to encourage flexible hours, flexi-time job sharing, part-time work, shorter hours, remote working, term-time working in solicitor firms.²⁴

Costs of legal services

The costs of legal services have to be viewed in the context of the significant delay to the reform of the civil legal aid scheme and the effective resourcing of the Legal Aid Board. The current operation of the civil legal aid system is a barrier to access of justice for structurally vulnerable groups including women; children; victims of domestic, sexual and gender-based violence; victims and survivors of trafficking and labour exploitation; international protection

²⁰ Sindy Joyce, Olive O'Reilly, Margaret O'Brien, David Joyce, Jennifer Schweppe and Amanda Haynes, [Irish Travellers' Access to Justice](#) (European Centre for the Study of Hate, 2022) p. 135.

²¹ Sindy Joyce, Olive O'Reilly, Margaret O'Brien, David Joyce, Jennifer Schweppe and Amanda Haynes, [Irish Travellers' Access to Justice](#) (European Centre for the Study of Hate, 2022) p. 134.

²² Sindy Joyce, Olive O'Reilly, Margaret O'Brien, David Joyce, Jennifer Schweppe and Amanda Haynes, [Irish Travellers' Access to Justice](#) (European Centre for the Study of Hate, 2022) p. 133.

²³ IHREC, [Submission to the Citizens' Assembly on Gender Equality](#) (March 2020) p. 18.

²⁴ IHREC, [Submission to the Citizens' Assembly on Gender Equality](#) (March 2020) p. 18.



applicants; Travellers; Roma; disabled people; minority ethnic communities, and those on low incomes and in poverty. In our submission to the Review Group, we highlighted the shortcomings with the Civil Legal Aid Scheme, and made a number of recommendations including to extend the scope of the Legal Aid Board, to review the financial contribution, and to ensure the Legal Aid Board is adequately resourced.²⁵

²⁵ IHREC, [Submission to the Independent Review of Civil Legal Aid Scheme](#) (2023).