

Admission Policies of the Legal Professions

Response of the UCD Sutherland School of Law to the Legal Services Regulatory Authority's 2026 Consultation.

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1. Introduction

Under section 33(1) of the Legal Services Regulation Act 2015, the Legal Services Regulatory Authority is required to prepare an annual report on the admission policies of the legal professions. For this purpose, the LSRA is required (under s. 33(2)) to conduct a consultation, and it therefore invited written submissions regarding 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 2025.
2. The costs of legal services in 2025 and whether these were available at a reasonable cost to consumers.
3. The standard of education and training for persons admitted to practise.
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.

Comment is also welcome in relation to other issues regarding the operation of the Act, including the Authority's objectives under s. 13(4).¹

The UCD Sutherland School of Law's response to the consultation focuses on items 3 and 4; educational standards and admission policies. This submission has been prepared collaboratively by faculty in the School of Law, as well as staff in UCD Access and Lifelong Learning.

2. Entry to the Legal Professions

¹ These 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.

2.a. Access Initiatives

Access initiatives run and funded by the Law Society, King's Inns, and the Bar of Ireland are a welcome and important development.

However, these initiatives tend to operate as add-ons to a system that remains expensive, centralised, and complex to navigate. As a result, they can mitigate but not fundamentally alter the structural conditions that shape entry and progression. Financial support, for example, often alleviates rather than removes cost pressures. They may assist individuals in getting 'in' but do not necessarily support them 'through.'

These initiatives can also carry a degree of stigma, particularly where applicants are required to narrate personal hardship to be deemed eligible. The need to present a compelling 'life story' for shortlisting, combined with criteria that can shift from year to year, can make the process feel unpredictable and burdensome, and may deter prospective applicants. For those who are selected, being positioned as 'lucky enough' to receive a life-changing opportunity can introduce its own pressures, especially when the surrounding system remains unchanged, and the stakes of success feel unusually high.

This celebratory framing can obscure the extent to which the system itself remains difficult to navigate. It can also create subtle pressures on recipients to assimilate into existing professional norms to demonstrate that the investment in them was a good one.

In addition, many of these initiatives implicitly assume a level of prior familiarity with the profession that is not shared across all entrants, meaning that attrition can become a more significant issue than initial access.

2.b. Flexible pathways (part-time, hybrid, modular)

Flexible pathways are a welcome and important development, especially for students who are working, have caring responsibilities, or cannot relocate. They have real potential to widen participation. However, their impact depends on these routes being taken seriously and treated as equal to the traditional model. Flexibility should not mean reduced access to mentoring, networks, or career opportunities, nor should it create a two-tier system where some students receive a full professional experience, and others receive a lesser version.

While these pathways increase access to an extent, everyone deserves the same quality of training, community, and professional exposure. The aim should be to change the system rather than expecting individuals to adjust themselves or accept a diminished experience simply because they need a different mode of study.

2.c. Standard of education and training

Care is needed to ensure that the formal standard of education and training is uniformly strong across the different pathways into practice and the emerging flexible or modular options. At present, these routes differ markedly in cost, support, and accessibility, and the learning/training environments remain relatively homogenous, particularly in terms of socio-economic class. This unevenness in the pathways shapes the quality of training and the extent to which students can meaningfully engage and benefit from it.

These pathways assume substantial financial, cultural, and temporal resources. Therefore, the opportunity to meet the standard is unevenly distributed. In this context, 'standards' risk operating less as neutral measures of competence and more as mechanisms that reward those who already possess the forms of capital (implicitly) valued by the system/pathways. This raises broader questions about the professions' reliance on meritocratic narratives, given that the capacity to demonstrate 'merit' is formed long before an individual pursues professional training.

Related dynamics include the hidden curriculum (informal mentoring, networking, and familiarity with professional norms), an emphasis on credentialism, a gap between academic study and practical realities for those without prior legal exposure, and unequal access to internships and other experiential learning opportunities.²

3. Barriers to Entering the Professions

The most significant barriers to entering the legal professions include financial costs, limited information about pathways, cultural expectations, and the concentration of opportunities in major cities. These pressures build on each other and can make the professions feel distant or exclusive, even for highly capable students.

Long qualification periods, unpaid or low-paid stages, and the expectation of relocation to expensive cities can make the route into legal professions unrealistic for many.

We identify below a number of barriers to entering the profession, based on UCD ALL's work with access students and in particular through the experiences of students participating in the early career progression strands of the pathway to the professions (P2P) initiatives.

Greater support from legal firms, professional and regulatory bodies for early career progression is required to ensure that students access and progress into the professions so that they reflect the diverse population it serves.

² See further section 5 below, where we indicate how UCD is addressing some of these issues.

3.a. Internships

Internships are becoming an ubiquitous part of the undergraduate law experience. The purpose and design of internships merits closer interrogation. In many cases, internships can lead to long-term employment opportunities for recent graduates. However, when internships operate mainly as competitive credentials, they can unintentionally reinforce existing inequalities. Care is needed to ensure that internships function as genuinely developmental opportunities rather than gatekeeping mechanisms.

Unpaid internships are simply not a realistic option for many students. Accessing paid internships in many legal firms is highly competitive and continues to remain a barrier for many access students. Access students are high academic achievers, and with access to paid internships, they can offset the gaps caused by deficits in their social and cultural capital. Such cultural capital includes access to generational knowledge from family members in the legal professions, or parents with University degrees. Gaining real experience from paid legal internships increases access students' chances of employment after graduation. Opportunities like this are therefore essential for increasing social inclusion and diversifying the legal profession.

Through the P2P project, a leading law firm developed an example of good practice, which has contributed to improved access to paid internships and employment for access students. The Access Law Challenge is a targeted competition whereby prize winners are offered paid summer placement and mentoring. Feedback from students who have participated in this over the 3 cycles has cited that the mentoring and access to the summer placement facilitated them in navigating the process, building their confidence and communication skills, which then enabled them to compete and secure longer-term paid internships either with the company itself or other legal firms. They note that the targeted initiative helped successfully secure the internships. Students from low-income families need to work part-time and do not have the opportunity to avail of unpaid placement or internships.

3.b. Law Firm Recruitment

Recruitment practices remain a key point at which inequality can be reproduced. Early and informal recruitment, an emphasis on 'fit' or 'polish,' and the concentration of opportunities in major cities can make it harder for capable students without established networks to access the same opportunities. These processes can feel far removed from the realities of many people's lives, especially for those who cannot afford unpaid internships, relocation, or long periods of uncertainty.

Students describe legal firms' recruitment processes as intimidating. Some questions asked about Leaving Certificate results and details of schools students attended seem

irrelevant and can be alienating for students who may have attended DEIS schools or entered their degree programme on an access pathway.

The inclusion of these details reinforces the imposter syndrome that students from underrepresented groups already feel. Students report they feel they are assessed on their background and not on their academic achievement or ability to do the job.

Application processes should be blind wherever possible. Leaving Certificate results, home and school addresses, and other background markers are irrelevant to a person's potential as a trainee or future practitioner. Removing these details would help reduce bias and ensure that decisions are not shaped by assumptions about someone's background.

Shifting to skills-based assessment is not a complete solution either, as many of the skills valued during recruitment are themselves shaped long before students reach higher education. Without wider structural change, such assessments risk reproducing the same inequalities under a different label.

3.c. Access to Professional Networks

Professional networks continue to play a key role in both branches of the legal profession. Accessing these networks continues to be a barrier for access students, who come from families that do not have connections in the legal world or who are the first in their families to attend University.

Cultural norms around how to speak, present, or network can add another layer of distance, leaving some students feeling out of place despite their genuine interest in law and its social value.

Mentoring can help to level the playing field for students from low-socio economic backgrounds. UCD ALL have found that it can build access students' confidence and enable them to make connections in these networks. It helps to demystify the world they wish to enter and strengthens their confidence in their competency and aptitude to compete successfully in this profession. Reverse mentoring should also be explored as a means to help members of the legal professions and their related institutions to reflect on how the system itself might adapt, rather than placing all the responsibility for change on students.

3.d. Professional Exams

The cost of professional exams and the time taken to train as a barrister or a solicitor continues to be a barrier. Students report that they feel it is necessary to attend paid exam preparation courses, and that they are at a disadvantage if they do not do so. The financial cost of taking the required FE1 examinations and additional preparatory courses creates a social exclusion for students from low socio-economic backgrounds.

Access students have reported perceiving that they are in competition with peers who have the financial means to fund these preparatory courses and sit the FE1s. This has led some students to take a different career path, as the financial barrier was too overwhelming in the early days of their careers.

As well as imposing a financial cost burden, entrance exams involve a time cost also; many students have to choose between earning and studying.

The recent rule change allowing students to sit FE1 entrance exams during their university studies has structural limitations. While intended to create flexibility, it adds significant pressure for students who may already be balancing full-time study, part-time employment, and/or caring responsibilities. For some students, this can turn a supposed opportunity into yet another barrier. The change, therefore, risks widening, rather than reducing, inequalities unless the broader pressures surrounding FE1 preparation are also addressed.

Entrance exams can also involve duplication of assessments undergone by students during their undergraduate studies, which is difficult to justify on pedagogical and access grounds.

We reiterate the proposal we made in previous consultations to abolish entrance examinations for students with law degrees from Irish universities, which, unlike these entrance examinations, are already assessed against an independent statutory quality assurance process. This would have the effect of increasing the pool of students in a position to enter legal training and reducing the costs incurred by them, with the downstream effect of increasing the numbers available to be admitted to practice and lowering the initial investment they need to recoup.

3.e. Devilling

While the barrister profession places significant financial burdens on all who enter the profession, this is exacerbated for students from low-income backgrounds. The expectation to take part in devilling and to work without payment is very challenging and unrealistic for many, particularly given the requirement to devil with a Dublin-based master.

3.f. Other barriers

Junior barristers are required to pay the same LSRA regulatory fees as established counsel or SCs. We suggest that a sliding scale would be more appropriate for those in the early years of their practice.

4. Diversity in the Legal Professions

While student cohorts may be relatively diverse (see below for details about UCD's undergraduates), this diversity is not always reflected among those entering the professions. The drop-off is likely most visible at key transition points, including professional training and early recruitment. Socio-economic class, in particular, remains largely absent from mainstream diversity discussions, even though it shapes access at every stage.

There is also a broader question about what 'diversity' actually means to many firms and members of the Bar. The term is often used in general or celebratory ways, but without a clear understanding of the structural barriers that shape who gets in, who stays, and who progresses. When diversity is framed narrowly or reduced to visible characteristics, it can mask the deeper inequalities embedded in the system.

Until the profession engages seriously with factors such as socio-economic class, geography, cost, and culture, diversity initiatives risk being viewed as symbolic rather than transformative.

5. Undergraduate Law Programmes at UCD

UCD currently offers nine undergraduate Law degree programmes. Students can study law on its own or combine it with Business, History, Irish, Philosophy, Politics, Economics, Social Justice or French Law. UCD Law programmes are four years long and students have opportunities to study one or two semesters abroad or to undertake paid internships as part of their degrees.

5.a. UCD's "Pathways to the Professions" Initiative

UCD's Pathways to the Professions (P2P) is a University for All initiative which aims to widen participation and promote inclusion in the professions. Starting with the legal

profession, Pathways to the Profession widens the University for All lens to look at how we can remove barriers to access, participation and success at each step along the pathway to a profession.

The project follows the student lifecycle from pre-entry outreach initiatives to university and academic success and on to early career progression and professional achievement for our graduates.

5.b. UCD's Undergraduate Admissions and Outreach

UCD has made significant progress in widening access to the Law undergraduate programmes (BCL and BBL) and attempting to demystify the legal profession and support aspirations of students from DEIS schools, low socio-economic backgrounds and disadvantaged areas. However, while undergraduate access has improved, critical challenges remain to facilitate progression and access to the legal profession.

5.b.i. Admission

In addition to the CAO, UCD now has the following admission routes into the undergraduate Law degree programmes:

- Higher Education Access Route (HEAR)
- Disability Access Route (DARE)
- Open Learning
- University Access
- QQI-FET (progression from Further Education Colleges)
- Mature Entry.

UCD has made good progress in breaking down the barriers of access to law undergraduate degree programmes. With a 40.3% participation rate for underrepresented groups in UCD (with a similar figure for the Sutherland School of Law), progression, retention and completion of students entering through access admissions pathways broadly in line with the general UCD population. The trends are encouraging and demonstrate the success of access students in undergraduate programmes.³

³ Bairbre Fleming, Lisa Padden and Anna Kelly, *Who Counts? University for ALL Data, Metrics, and Evidence 2020-2021*, p. 44.

5.b.ii. Outreach

UCD Sutherland School of Law has developed an outreach programme which is embedded into a 4th year undergraduate module called 'Law in the Classroom'. UCD students deliver a programme of activities which explore law and the legal profession in 7 DEIS primary schools in the greater Dublin area. The programme culminates with school pupils and their families attending UCD and participating in a mock trial.

UCD Access & Lifelong Learning continue to work in collaboration with DEIS Schools through an extensive outreach programme, providing students with information and guidance sessions to support them applying for the various admission pathways, opportunities to experience life as a student and peer mentoring.

Various financial supports are available to UCD students. These include specific supports for HEAR students, students with disabilities, students experiencing financial hardship, students who are parents, displaced persons, mature students and students from Traveller or Roma backgrounds and students who have experienced living in care.⁴

In addition to the Cothrom na Féinne Scholarships funded directly by UCD for ALL, UCD Foundation has worked with private donors to establish additional named Law-specific Cothrom na Feinne Scholarships.

6. Conclusions

This review has considered recent and ongoing efforts to broaden access at the pre-University, University, and Professional stages of education and training. There is scope for earlier outreach, more sustained and embedded forms of support for those who wish to enter the professions, paid preparatory opportunities, and a broader recognition of non-traditional indicators of merit.

As regards the pathways into the legal professions and the education and training which is provided, recent developments are welcome. However, for flexible pathways into the profession to be meaningful, they must be integrated into the core of legal education and treated as equal routes into the profession, not as alternatives for those who cannot participate in the traditional model. Education or training that cannot be meaningfully accessed or experienced across the full range of prospective entrants risks losing its legitimacy.

This review also highlights a number of specific barriers which continue to impact access to the legal professions, including entrance exams, law firm recruitment practices and exclusion from professional networks.

⁴ See the full list of available scholarship schemes here: www.ucd.ie/all/supportswhilestudying/financialsupports/undergraduatestudents/. Graduate scholarships can be viewed at www.ucd.ie/law/study/scholarships/