



15th of June 2018

The Legal Services Regulatory Authority

By email

Re: Invitation for submissions – section 34

Dear Sir/Madam,

Many thanks for your email seeking submissions pursuant to section 34 of the Legal Services Regulatory Act, 2015.

The Irish Criminal Bar Association (“ICBA”) is an organisation comprising of practising criminal law barristers in this jurisdiction. ICBA primarily seeks to promote excellence in the practice of criminal law, facilitate education and information on developments in criminal law and represent its members views in administrative and legal issues connected to criminal law developments.

We do not have any observations to make on the education and training of aspiring barristers. However, we welcome this opportunity to propose mechanisms to ensure the continued provision of high-quality legal service by criminal law practitioners.

Our members are registered on the Criminal Legal Aid Panel, administered by the Department of Justice & Equality. At present any barrister of more than 6-months’ standing can register for this panel. Once a member, one is paid by the Dept. of Justice & Equality for legal services provided to clients who have been granted a legal aid certificate. Registration for, and maintenance on, this panel requires only that a barrister be tax compliant. There is no requirement that a barrister be proficient in criminal law or up-to-date on criminal jurisprudence.

It is widely acknowledged that the Criminal Justice Legal Aid scheme operates to protect vulnerable persons within the criminal justice system, and those whose liberty is at risk. The Scheme is a hallmark of a progressive criminal justice system.

We believe that comprehensive knowledge of the developments in criminal law and procedure is essential to maintain standards of excellence in the provision of legal services by criminal law practitioners. To ensure the necessary standards of professional performance are maintained in criminal matters, it is our view that those criminal law practitioners seeking to be registered, to maintain registration, on the Criminal Legal Aid Panel should be required to engage in a certain amount of Continuing Professional Development in the area of criminal law and/or advocacy on an annual basis.

A considerable number of CPD events are available to barristers each year, hosted by a number of agencies, and incorporating criminal law topics. These events take place annually across the various geographical circuits. We also organise an annual conference at which criminal law topics are the focus.

There being no shortage of opportunities to obtain criminal law CPD, such an obligation would not be excessively burdensome on practitioners whether they be members of the law library or not.

If you have any queries in respect of the above, or if we can be of any further assistance, please do not hesitate to contact us.

Yours faithfully,



Eoin Lawlor
Chairperson

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