

Dear Sir/Madam,

I refer to the above mentioned.

I note that the Section 33 Consultation is open until the 9th February 2024 for Admission Policies of the Legal Profession 2023 and I would like for you to take note of the following:

A) An Assessment as to whether or not, having regard to the demand for the services of practicing barristers and solicitor

The demand for the service of a solicitor/barrister is likely to be reduced in circumstances that the government/state bodies continue to replace lawyers. The Residential Tenancy Board, the Workplace Relations Commissions, the Injuries Resolution Board and now there is discussion of (a) moving the conveyancing process from solicitors to estate agents/auctioneers and (b) moving all family law matters to district court. These actions by the government/state bodies may be reducing costs (but I argue that it is not) but they are indirectly affecting the need of the lawyer and this in turn is affecting the need to have sole practitioners/local solicitors, which in the long run will increase costs. In circumstances that the government/state bodies continue on this approach to remove lawyers from the basic fabric of society, ordinary people will not have access to solicitors at an affordable cost as all lawyers will be in corporate or commercial practices.

(B) The need to ensure an adequate standard of education and training for persons admitted to practice

A person who studies Law at College for 3/4 years does an masters still has to then go on and complete the First Entrance Exams (FE1s). This makes no sense whatsoever. Those students who have an Irish Law Degree/Masters should be excluded from some of the FE1s. This is a barrier to law for many people as there is no grants available to complete the FE1s.

Most lawyers from social disadvantage backgrounds (or who are struggling financially) are unable to afford to do additional training and education. There is no funding / grants for lawyers (barristers/solicitors) who wish to (for example) upskill, return to education, do a masters/phd, or to re-train in a separate area of law, or do a diploma. There is absolutely NO financial supports for lawyers whatsoever.

(C) Is consistent with the public interest in ensuring the availability of such services at a reasonable costs.

Lawyers (solicitors/barristers) costs are always under the micro-scope but what is never under investigation is the costs (overheads) that lawyers have to discharge:

- The high level of INSURANCE (and public liability insurance) that solicitors have to pay.
- The increasingly costs of solicitors practicing certificates.
- The increasingly costs of rent/rates, gas, electricity.

Why has the LSRA/Law Society of Ireland not set up an Insurance Fund for lawyers so that we can all pay into it and have low insurance. Is it not that reduced overheads will reduce costs.

Again, there are no funding/supports for lawyers from any government source whatsoever. The LSRA/Law society only cares/gets involved when there is a problem.

(D) Protecting and Promoting the public interest

The lack of support for solicitors is worrying.

There is a lack of guidance for solicitors re advertising.

(E) Supporting the Proper and Effective Administration of Justice/provision to legal services

The Probate Office are experiencing delays of up to six months and there has been no improvement in over 3 years. Can you please explain why?

The Probate Office does not do "walk ins" any more, is this access?

The Probate Office does not provide updates over telephone/email, nor does it respond to correspondence, is this access ?

The Central Office only operates a walk in service for 45 minutes from 13.00 - 13.45. Is this access ?

The Decision Support Service are taking weeks to reply to correspondence, is this access?

There is no restaurant in the Four Courts Complex. It closed a number of years ago and never reopened. Lawyers and clients have no where to go, is this still acceptable in 2023 for the administration of justice ?

(F) Encouraging an strong and effective legal profession

The profession is under extreme pressure given the current rising costs. The profession is unable to raise their fees dramatically and the Law Society of Ireland/LSRA have given no guidance in relation to fees ever.

The practicing of conveyancing has changed over the years and there are extra layers and layers of work but there is no guidance/support to increase fees but yet, estate agents/auctioneers take no responsibly and charge more fees than solicitors but this is not discussed and/or highlighted, why?

The time taken to register an EPA now under the Decision Support Service has now increased from about 5 hours under the old system to almost 20 hours. The Law Society/LSRA has not raised any concerns about this nor have they issued any guidance/support to lawyers. Last year only 28 EPA have been registered and it is likely to be less this year. If a lawyer charges 300 per hours and has to carry out 20 hours of work, that's 6,000 plus vat. No lawyer can afford to carry out that amount of time and no person can afford to pay that fee. This needs to be highlighted.

The above scenarios means that in the coming 10 - 20 years that there will not be sole practitioners / local solicitors to assist the ordinary person as most solicitors will go "in house" or into LLP commercial/corporate firms which will charge unaffordable fee/cost for simple matters as the Law Society/LSRA has not done enough to support Lawyers in retaining their current client base.

(G) Compliance

The rules and regulations are over complicated, even for lawyers. Lawyers have less time to deal with client matters and are now focusing on an over regulated industry. As such, Lawyers have to increase their costs to cover the work that they are unable to do as a result of the over regulated industry. This is never discussed within the LSRA / Law Society.

It is extremely difficult (or almost impossible) to get guidance or advice from either the Law Society or the LSRA. A definitive answer is never forthcoming promptly.

(H) Technology

The cost of technology is increasing. There is no guidance or a lack of information what (IT system) solicitors should have at a minimum.

Final thoughts : - Lawyers and their fees are constantly under review but other fees are never highlighted such as Estate Agents/Auctioneers, Medical Profession / Medical Reports / Engineers.

Kind regards

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