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On behalf of:
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30th June 2021

**Legal Services Regulatory Authority: Consultation on the Economic and Other Barriers
for Early Career Solicitors and Barristers under section 34 of the Legal Services
Regulation Act 2015**

**Submission on behalf of
School of Law and Government
Dublin City University (DCU)**

To whom it may concern,

I am writing to you on behalf of the law staff within the School of Law and Government at Dublin City University (DCU) to share our views on the the economic and other barriers for early career solicitors and barristers. We welcome the opportunity to make this further submission to support the important work of the Authority. We refer to our previous letters of submission dated 28th June 2018, 30th August 2019 and 3rd February 2020, 9th June 2020 and 2nd February 2021.

We wish to identify some of the challenges and barriers that arise for early career solicitors and barristers, and make the following brief points.

In previous submissions, we have expressed concern about the barriers to entry into the professions which exist for law students and graduates in Ireland; for example, in undertaking the entrance exams for the Law Society of Ireland and the Honorable Society of King's Inns. The solicitor and barrister professions present barriers to many students, for financial or other reasons. DCU law students, in particular, come from a diverse range of backgrounds with a higher than average proportion of students from disadvantaged socio-economic backgrounds.

Socio- economic barriers are particularly evident for early career barristers. As it stands, aside from the high entry costs (€12,900 p/a for King's Inns) and ancillary costs, pupilages are for the most part unpaid and instead rely on self-funding and benefits in kind. Typically, a pupil is also required to pay €3,600 in their first year for liability insurance and access to the Law Library, and related costs. This sum increases year-on-year for the first seven years of practice and for most students of modest means entry to the profession is unaffordable, therefore creating barriers to entry. It is our experience that many students who would otherwise wish to practice at the Bar, and would have the talents and skills to do so, find the high barriers to entry and ongoing costs associated with the first number of years at the bar prohibitive and this reinforces existing social inequalities.

Similarly, there are certain barriers evident for early career solicitors. It is our experience that the majority of our students pursue a career as a solicitor. In order to enter Blackhall Place and qualify as a solicitor, entrants must sit and pass eight FE-1 exams, which cost approximately €105 per subject. Following this, entrants must complete the Professional Practice Courses, at a cost of €8,300 (Professional Practice Course I) and €4,500 (Professional Practice Course II). Many traineeship packages include payment of these fees and a salary (which is typically more competitive in larger, generally corporate firms). At trainee entry level, financial barriers are evident in particular legal practices and areas of law. For example, many criminal law practices and in general, smaller law practices will offer less competitive salary packages. This is financially prohibitive for many who may not be able to afford to supplement a lower salary or pay the required fees.

To address early career socio- economic barriers, we recommend the further support of experiential education by stakeholders and those involved providing legal education. Experiential education, for example through valuable internship opportunities opens doors and 'levels the playing field' for those entering the professions by giving them necessary experience, a point of entry in advance of graduation. This approach can have further positive effects for the overall legal profession by developing more capable, better skilled, more diverse, and more resilient trainees and solicitors. As providers of legal education, we at DCU have incorporated this through our INTRA (Integrated- Training) programme. In addition, it is noted that for law students and graduates entering the solicitor profession, many medium and large (primarily corporate) law firms now offer structured summer internship programmes. Such programmes have opened up opportunities for those entering the profession and offer an effective means of networking and mentoring for those who might not otherwise have the opportunity.

Such early entrant opportunities are not in place in Ireland for barristers. For early career barristers, some type of internships or mini- pupilages type arrangements for law students interested in a career at the Bar would be valuable and welcomed to address the various barriers noted above. It might also reduce some of the barriers to entry and facilitate networking at the Bar, which is critical to career success in the profession (similar to the internship opportunities available to law students interested in the solicitor route). There are very few such opportunities for anyone interested in this career path (particularly for those from certain socio- economic backgrounds, who may not have the necessary pre-existing connections or legal networks).

Barriers are evident on the grounds of race and ethnic background, reflecting a lack of diversity within the legal services. There is substantial evidence for the existence of racism and racial discrimination in Ireland and this has been well documented in recent years.

Numerous research studies, using both quantitative and qualitative methods, have found evidence that people with minority ethnicities experience discrimination and adverse outcomes across a wide range of domains. Many jurisdictions and levels of government have developed strategies and plans to address racism and racial inequalities. We would encourage the LSRA to develop similar strategies in increasing the engagement of ethnic minorities in the legal system. One practical strategy would be to measure the extent to which people from minority ethnic and migrant backgrounds experience differential outcomes from the majority population. This is because institutions do not gather the data that would enable this analysis to be done. We encourage the LSRA to consider the potential for ethnic equality monitoring in dismantling barriers to greater racial equality in society.

At more senior career stages, gender disparities are evident in both professions and are reflected by a much higher proportion of male practitioners at senior counsel and partner levels (rather than females). Work culture, environment and structure of legal practices tend to favour, to a certain degree, the progression of a higher proportion of male solicitors and barristers to senior positions, and in some circumstances, can inhibit progression for female solicitors and barristers. Tackling work cultures and structures that have a disproportionately negative effect on female career progression should be given consideration, which would have a positive impact both for female professionals and their male colleagues. This would involve engagement with law firms and the Bar Council on family-friendly work practices and, e.g., promoting initiatives such as ‘the right to disconnect’.

In general, further financial and other supports are desirable in all areas of practice, and at various levels (for example, for law graduates entering these professions, trainees at the training stage, and solicitors practicing at early career stage). Various initiatives of the Law Society of Ireland and the Bar Council have been put in place in recent times and these are welcomed, including mentorship and leadership programmes (such as those aimed at women in the profession), and wellbeing and mindfulness programmes. These are all welcome initiatives that will certainly help with the issues noted above and provide some support for practitioners and early career solicitors and barristers.

Finally, we at DCU welcome and support the on-going work of the LSRA in the reform of the legal profession and look forward to further contributing to this reform process.

Kind regards,



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