



GRIFFITH COLLEGE

Submission by Griffith College

Background to Submission

The Legal Services Regulatory Authority is conducting a public consultation under section 34(1)(d) of the Legal Services Regulation Act 2015.

The consultation is based on a request from the Minister for Justice for the Authority to:

“Consider the economic and other barriers faced by young barristers and solicitors following their qualification from the King’s Inns and Law Society respectively and to submit a report with recommendations for her consideration.”

Introduction to Griffith College

Griffith College Dublin (originally Business and Accountancy Training) was established in 1974 and commenced its residency at the historic Griffith Barracks on the South Circular Road in 1991.

Griffith College is now Ireland’s largest private college with 7,000 students from Ireland and across the world.

The Faculty of Law and Professional Law School were established in 1994 and have grown significantly, providing a wide and dynamic range of academic and professional programmes in law. Over the past twenty three years, the Faculty of Law and Professional Law School at Griffith College have grown, both in annual student numbers and also in the number of programmes available on both the Dublin and Cork campuses – delivery on a face-to-face and or blended learning option. The Faculty of Law at Griffith College offers learners a wide range of legal programmes from certificate (QQI Level 7, NFQ) to LL.M. (QQI Level 9, NFQ). In addition to which the Professional Law School offers preparation programmes for the Law Society of Ireland Final Examinations Part 1 and The Honorable Society of Kings Inns Entrance Examinations.

Submissions

1. Economic and other barriers to entry to the professions of solicitor and barrister

While a career within law may have the reputation of being a relatively well-paid and lucrative sector, in reality a solicitor's salary depends on several factors, including the area of law practised, the number of years post qualification experience, the size of the law firm and the location of the firm. This variance in salary may result in decisions regarding career progression being based on monetary decisions alone, as opposed to a preferred area of law or location.

Further as barristers are self-employed their income, particularly in the early years of practice, can be less regular and without the benefit of paid holidays, sick pay, health care or even maternity or paternity leave. The cab-rank rule also means that barristers can be unaware of what work will be presenting and the time commitment and fee's related to same. As a result barristers in the early years of practice secure additional employment to ensure a regular income, increasing their working hours significantly.

While much work has been done in recent years to support the enforcement of payment of young barristers, greater emphasis is needed for more dedicated recognition within the Bar Council of the specific position of younger barristers (first 5 years of practice) both in terms of their professional vulnerability compared to more established colleagues and their willingness to seek enforcement of payment against a solicitor. A 'one size fits all' structure may not be suitable in terms of the support needed in this regard. This is particularly the case at the Irish Bar where there is no Chambers system which usually satisfy this role in some other jurisdictions.

In addition a scheme of support for both trainee and new qualified solicitors, devilling and junior barristers, to assist in covering costs incurred in their early years of practice would be beneficial.

2. Availability of mandatory apprentice training for solicitors and the “devilling” programme for barristers.

The availability of training contracts for trainee solicitors and devilling opportunities for barristers are predominantly based in for example, Dublin or Cork, with larger firms tending to have more training contracts on offer, while the position is similar with devilling opportunities for barristers.

Costs incurred by trainee solicitors and barristers in moving to take up positions due to their predominant location in larger cities include at a minimum rent, day to day living expenses and possible public transport costs in addition to costs such as Law Library fees.

While the Small Practice Traineeship Grant offered by the Law Society of Ireland assists firms in the hiring of a trainee solicitors and offers trainee solicitors an opportunity to secure a training contract in a small firm outside of Dublin, Cork, Galway and Limerick there are only five grants available countrywide.

The extension of schemes supporting small firms outside of the main cities in offering of contracts for trainee solicitors would be of assistance, particularly those seeking positions in general practice in more rural areas.

While the provision of devilling opportunities outside the main cities may prove more difficult, the provision of supports for new qualified barristers may offer more opportunities.

3. Enhanced information and regulation around the register of Masters.

In an increasing number of instances, barristers, who act as Masters, may be booked up for many years in advance of a newly qualified barrister wishing to start at the Bar. "Pre-Booking" of Masters some years in advance often is related to the professional reputation of the practitioner, his/her type of practice and the support they may offer a devil. For someone without the legal contacts or information about the profession, the process of finding a master can seem like an attempt to acquire "insider information" in circumstances where their contacts for finding this information is limited. This limitation of information can lead to a dissatisfactory devilling year for both Master and Devil and can also have effects later in the young barrister's career.

4. Further, we ask the Authority to consider the following suggestions to assist young barristers and solicitors:

- (i) Seek to widen the governments Apprenticeship scheme to include trainee solicitors on the professional practice courses and in-office training so that they might benefit from the apprenticeship scheme.
- (ii) Provide incentives for employers within the legal sector to offer summer internships for law students, so they can benefit from on-the-job training, and through the development of their transferrable skill set and hands on experience enhance their CV and increase employability/engagement as trainee solicitors or devils.