



UCD Sutherland School of Law

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From Dean of Law

Dr. Brian Doherty
Legal Services Regulatory Authority
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By email to publicconsultations@lsra.ie

30 June 2021

***Submission to Consultation under the Legal Services Regulation Act 2015, s.34(1)(d)
Barriers for Early Career Solicitors and Barristers and Increasing Diversity***

Dear Dr. Doherty

Thank you for the opportunity to contribute to the consultation under s.34(1)(d) of the Legal Services Regulation Act 2015. This contribution is based on my work with our committee on professional legal education and our School Access Officer.

UCD Initiatives

It may be helpful to outline the steps we in UCD are already taking to widen access.

The School of Law is committed to creating an inclusive, welcoming and diverse learning environment for all and we provide a range of non-traditional entry routes to the undergraduate law degrees including HEAR: Higher Education Access Route (for school leavers aged under 23 from socio-economically disadvantaged backgrounds), DARE (disability access route to education), progression from other qualifications under the QQI-FET scheme (Quality and Qualifications Ireland - Further Education Training), the UCD Open Learning and Access Programmes, and mature student entry.

We have also developed a programme – UCD Sutherland Opportunity supported by Mason Hayes & Curran – with supports for students who experience barriers to education to gain access to the School, and also to ensure that, while there, they receive all the necessary guidance to retain their place and participate fully in college life. This programme includes:

- scholarships for students from low-income backgrounds
- study-abroad bursaries
- mentoring (in conjunction with UCD Alumni)

- financial support for NGO work placements, and
- a moot court programme in DEIS primary schools.

As part of UCD Sutherland Opportunity supported by Mason Hayes & Curran, the School is also working in partnership with the UCD Access & Lifelong Learning Centre, with additional funding from Rethink Ireland, on the Pathways to the Professions Initiative. This aims to develop a set of interventions to improve equitable access to the professions from all sectors of society, starting with law as a testbed for developing a model of good practice. This model will then be extended into other professional degree courses. The model being adopted is one of “wrap around” interventions covering the full lifecycle of the student:

- Pre-university:
 - community outreach
 - information programmes
 - ‘see one/be one’ mentoring of secondary school students in communities where levels of progression to university are low
- At university:
 - scholarships and travel bursaries
 - social supports and skills training
 - mentoring and networking opportunities
- Post-university:
 - one-to-one careers support
 - mentoring within the workplace
 - access to internships

A particular aim of the Pathways to the Profession Initiative is to work with stakeholders to identify specific barriers to career success for law students from the HEA’s list of underrepresented groups (students from DEIS schools/low-income backgrounds, students with a disability, mature entrants, lone parents, Irish travellers, ethnic minorities, etc.) and the effectiveness of the existing interventions in mitigating these barriers.

Submissions

Regarding entry to professional training, issues of cost and delay are magnified for students from under-represented groups on whom they weigh more heavily. For that reason, the Final Examination – First Part (FE-1) for qualification as a solicitor and the Entrance Examination for qualification as a barrister, create unnecessary delay, direct cost, and loss of earnings for applicants in a way which has a disparate effect on those groups. This is still the case even with the accelerated FE-1s, as students must generally still give up part-time jobs to sit these, or else must forego the opportunity to take part in the Erasmus programme. As we have previously recommended, this could be mitigated by abolishing the requirement for these exams where students have already completed equivalent, independently accredited and quality assured modules.

We endorse the submissions of the Higher Education Authority (summarised in the First Annual Report on Admission to the Legal Professions) that professional training should be available through recognised qualification courses in a range of higher education institutions. In addition to promoting geographic diversity, this would allow greater scope to develop training programmes which recognises the different needs of individuals and would facilitate students who wish to take advantage of the particular supports that other institutions have in place for under-represented groups.

Finally, we believe from our experience developing the model for the Pathways to the Professions Initiative that structured interventions promoting community outreach and mentoring will be very important in promoting diversity both in relation to initial entry into the profession and then in ensuring later retention and career development.

Please do not hesitate to contact me if I can be of further assistance.

With every good wish.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Imelda Maher", enclosed in a thin black rectangular border.

*Professor Imelda Maher, MRIA
Dean of Law
Sutherland Full Professor of European Law*