

## Pro Bono Practices and Opportunities in the Republic of Ireland

### I. Introduction

The Republic of Ireland has a longstanding commitment to pro bono and a number of public interest groups offer pro bono legal services. In 2009, the Public Interest Law Alliance (PILA) was launched with a collaborative vision for getting the law working for those most in need. PILA is supported by the Free Legal Advice Centre (FLAC) which was established in 1969 by a group of law students. Today, FLAC administers 21 independent legal centers across the country and also provides advice at 49 citizens advice centers across the country. In 2004, the Bar of Ireland launched the Voluntary Assistance Scheme,<sup>1</sup> a pro bono initiative which provides legal assistance to charities, NGOs and civic society groups.

### II. Overview of Pro Bono Practices

(a)	<b>Professional Regulation</b>	
	1. Describe the laws/rules that regulate the provision of legal services?	Every barrister called to the Bar of Ireland is subject to the Code of Conduct which sets the standards of professional conduct and practice required of barristers in Ireland. <sup>2</sup>  Every solicitor registered with the Law Society of Ireland is subject to various regulations which set the standards of professional conduct and practice required of solicitors in Ireland. <sup>3</sup>
	2. Describe any licensure requirements governing the provision of legal services.	Both practicing barristers <sup>4</sup> and solicitors <sup>5</sup> must maintain a practicing certificate on an annual basis.  Providing any form of legal services without a current practicing certificate would constitute professional misconduct.
(b)	<b>Pro Bono Practice and Culture</b>	
	1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or all contexts, details of any mandatory or minimum fees imposed on provision of legal services.	There are no rules or regulations in the Republic of Ireland that are specific to the provision of pro bono legal services. <sup>6</sup>  See response to II.(a).1 above.

<sup>1</sup> See <https://www.lawlibrary.ie/Legal-Services/Voluntary-Assistance-Scheme.aspx> (last visited on May 1, 2019).

<sup>2</sup> See Bar Code of Conduct <https://www.lawlibrary.ie/Membership/Adopted-Code-of-Conduct-Bar-of-Ireland-23-July-201.aspx> (last visited on May 1, 2019).

<sup>3</sup> See <https://www.lawsociety.ie/Solicitors/Regulations/> (last visited on May 1, 2019).

<sup>4</sup> See section 9.1 of the Bar Code of Conduct <https://www.lawlibrary.ie/Membership/Adopted-Code-of-Conduct-Bar-of-Ireland-23-July-201.aspx> (last visited on May 1, 2019).

<sup>5</sup> See <https://www.lawsociety.ie/globalassets/documents/committees/conduct-guide.pdf> (last visited on May 1, 2019).

<sup>6</sup> For example, section 12.4 of the Bar Code of Conduct states that nothing in the rules shall operate to inhibit a Barrister's entitlement to act for a client pro bono. See <https://www.lawlibrary.ie/Membership/Adopted-Code-of-Conduct-Bar-of-Ireland-23-July-201.aspx> (last visited on May 1, 2019).

	2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?	Lawyers in the Republic of Ireland are not required to work a minimum number of pro bono hours but are encouraged to do so by both the Bar Council and the Law Society of Ireland.
	3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?	Aspiring lawyers in the Republic of Ireland are not required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers– this applies equally for both barristers and solicitors.
	4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?	The main areas of law which require or present opportunities for the provision of pro bono legal services in the Republic of Ireland are housing, human rights, immigration and personal finance.
	5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?	The main providers of pro bono legal services in the Republic of Ireland are NGOs, private law firms and barristers, public services and universities.
<b>(c)</b>	<b>Obstacles to Provision of Pro Bono Legal Services</b>	
	1. Do lawyers require a license to provide pro bono legal services?	Lawyers in the Republic of Ireland require a license to provide legal services which would include pro bono legal services – see response to II.(a).2 above.
	2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?	Foreign lawyers should be licensed to practice law in Ireland and such a license would also be required to cover the provision of pro bono legal services.
	3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project?	Both barristers <sup>7</sup> and solicitors require professional indemnity legal insurance cover for any pro bono legal services that they provide in the Republic of Ireland. <sup>8</sup> Neither barristers nor solicitors are prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project.

<sup>7</sup> See section 2.18 of the Bar Code of Conduct <https://www.lawlibrary.ie/media/lawlibrary/media/Adopted-Code-of-Conduct-Bar-of-Ireland-23-July-2014.pdf> (last visited on May 1, 2019).

<sup>8</sup> See (ix) of “legal services” which includes acting on a pro bono basis in the Solicitors Professional Indemnity Insurance Regulations 2018 <https://www.lawsociety.ie/globalassets/documents/committees/pii/2018-19/si-351-2018.pdf> (last visited on May 1, 2019).

	4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?	There is no express prohibition in the Republic of Ireland for barristers <sup>9</sup> or solicitors to advertise pro bono successes or solicit new pro bono clients. <sup>10</sup>
	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	Barristers receive “Continuing Legal Education” or equivalent credit for pro bono hours worked. <sup>11</sup> Solicitors, on the other hand, do not. <sup>12</sup>
<b>(d)</b>	<b>Sources of Pro Bono Opportunities and Key Contacts</b>	
	1. Describe any governmental sources of pro bono and/or other legal services in the Republic of Ireland.	There are no governmental sources of pro bono and/or other legal services in the Republic of Ireland.
	2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in the Republic of Ireland.	The main non-governmental sources of pro bono and/or other pro bono resources in the Republic of Ireland are: <ul style="list-style-type: none"> <li>• Free Legal Advice Centres;<sup>13</sup></li> <li>• Public Interest Law Alliance;<sup>14</sup></li> <li>• Threshold;<sup>15</sup> and</li> <li>• Voluntary Assistance Scheme.<sup>16</sup></li> </ul>
	3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?	See responses to II(d)2 above.

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<sup>9</sup> See <https://www.lawlibrary.ie/Membership/Downloads/Guidance-on-Advertising.aspx> (last visited on May 1, 2019).

<sup>10</sup> See <https://www.lawsociety.ie/globalassets/documents/regulation/adv-regulations/guidelines-advertising.pdf> (last visited on May 1, 2019).

<sup>11</sup> The Voluntary Assistance Scheme provides 3 CPD points to all barristers who carry out work for the scheme. See <https://www.lawlibrary.ie/Access-to-Legal-Services/Voluntary-Assistance-Scheme/VAS-Downloads/VASSpeech2014.aspx> (last visited on May 1, 2019).

<sup>12</sup> See section 6 of the 2019 CPD Scheme <https://www.lawsociety.ie/globalassets/documents/cpd-scheme/2018-cpd-scheme-booklet.pdf> (last visited on May 1, 2019).

<sup>13</sup> See <https://www.flac.ie/> (last visited on May 1, 2019).

<sup>14</sup> See <https://www.pila.ie/> (last visited on May 1, 2019).

<sup>15</sup> See [www.threshold.ie](http://www.threshold.ie) (last visited on May 1, 2019).

<sup>16</sup> See <https://www.lawlibrary.ie/legal-services/voluntary-assistance-scheme.aspx> (last visited on May 1, 2019).

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