

Terms and Conditions

1. The Civil Legal Aid Act 1995 (“the Act”) provides that the Legal Aid Board (“the Board”) may establish and maintain a panel of solicitors who are willing to provide legal aid and advice to persons who are in receipt of legal services. Arising from the enactment of the International Protection Act 2015 and the introduction of the “single procedure” the Board has now decided to establish and maintain a panel of solicitors who are willing to provide services to persons who have been granted legal services by the Board for the purpose of advice and / or representation in relation to an application under the International Protection Act 2015 for asylum, subsidiary protection and leave to remain and for all matters previously covered by the Private Practitioner Asylum and related issues Panel. The Panel is to be known as the Private Practitioners International Protection Panel (“the Panel”).
2. Any solicitor who meets the conditions in the Scheme and wishes to have his or her name placed on the Panel must apply in writing to the Board. The solicitor must give an [undertaking](#), to comply with the terms and conditions herein and the provisions of the Act when providing legal aid and/or advice.
3. Any solicitor wishing to apply to be placed on the Panel must hold a current practising certificate from the Law Society of Ireland and must have professional indemnity insurance that is adequate for the purposes of the Scheme. The current figure is €1.5 million in any one case, but the Board may revise this amount from time to time.
4. Solicitors on the Panel must comply with the tax clearance procedures specified in the Department of Finance Circular 43/2006 entitled ‘Tax clearance Procedures-Public Sector Contracts’ or any such circular amending or replacing that circular.
5. The Panel shall be in place for a period of three years from the 1st December 2020 or such other date or period as the Board may determine. In this regard the Board is required to be responsive to any further changes that may occur in the international protection process. The Board shall consider applications to be included on the Panel at such times as the Board, from time to time, may determine.
6. Solicitors on the Panel must have access to e-mail facilities and must have IT software that is compatible with Microsoft Office software in order to ensure the effective and efficient administration of the Scheme. In addition it is Board policy that email communications concerning clients are encrypted for security purposes. Instructions for reading and replying to secure communications sent by the Board are available [here](#).
7. Solicitors are expected to act in a fiduciary manner in relation to all legally aided clients and to provide a service in keeping with the Guides to Professional Conduct that are issued from time to time by the Law Society of Ireland.
8. The Board is committed to the provision of a quality legal service to its clients and shall from time to time provide solicitors on the Panel with [best practice guidelines](#) on the approach to be adopted in dealing with matters within the ambit of this Scheme. Solicitors on the Panel are expected to broadly comply with the Guidelines. The Guidelines may be updated by the Board from time to time.
9. All legal professionals engaged in international protection work are required to have the necessary experience and training in the area.
10. Notes must be kept on file in relation to all consultations and phone calls with clients and such notes must be clearly legible. They should ideally be typed.

11. In the event that the Board is not satisfied that the services required under this scheme have been provided to a particular client the Board reserves the right to pay a partial fee or no fee at all to the solicitor to whom the case has been referred.

12. Solicitors are expected to make every effort to contact a client who has been referred to them under the scheme, and to use all means of contact available to them until contact has been achieved where possible. In the event that a solicitor/firm is unable to make contact with a client who has been referred to them under the scheme the solicitor/firm should contact the Board immediately to inform the Board of the situation. Solicitors are expected to communicate effectively with clients from the time a case is referred to them until the client's case is closed and to keep clients informed of all developments in relation to their cases.

13. Clients are expected to behave reasonably, for example by providing the Board or solicitor with their latest contact details, returning calls and turning up for appointments at the designated date and time. Where a solicitor/firm considers that a legally aided client is behaving unreasonably they should contact the Board.

14. A solicitor on the Panel shall provide the Board with any information relating to a person in receipt of legal aid, including the case file if requested, or any commitment sought by the Board, which is required by the Board for the purpose of enabling the Board to discharge its functions under the Act. Such information or undertaking shall be furnished within fourteen days of any such request. Solicitors shall retain files of legally aided persons for a period of seven years from the date of completion of the services authorised on foot of the legal aid certificate.

15. As part of its commitment to ensuring that its clients receive a quality service, the Board shall review a number of files of legally aided clients so as to satisfy itself that the solicitor on the Panel is providing an appropriate level of service. In the event that that review identifies issues of concern in relation to the provision of an appropriate level of service, the Board may inspect any or all legally aided client files assigned to that solicitor.