



Legal Services Regulatory Authority

Update on the LSRA:

Legal Services Regulatory Authority:

Section 13(1) of the Legal Services Regulation Act 2015 states that it will be the responsibility of the Legal Services Regulatory Authority (LSRA) to regulate the provision of services by legal practitioners and to ensure the maintenance and improvement of standards in the provision of such services in the State.

Establishment:

The LSRA was established by the Minister for Justice & Equality from 1 October 2016 ([SI No 507 of 2016](#)).

Membership and Meetings:

Details of the Membership of the Authority and their nominating bodies are as follows:

- **David Barniville** - The Bar Council*
- **Eileen Barrington** - The Honorable Society of King's Inns
- **Angela Black** - Citizens Information Board
- **Geraldine Clarke** - The Law Society
- **Joan Crawford** - Legal Aid Board
- **Stephen Fitzpatrick** - Institute of Legal Costs Accountants
- **Dermott Jewell** - Consumers Association of Ireland
- **James MacGuill** - The Law Society
- **Deirdre McHugh** - Competition and Consumer Protection Commission
- **Don Thornhill (Chair)** - Higher Education Authority

*Note that David Barniville has stepped down following his recent nomination to the High Court. The nomination process for his replacement is underway.

The Authority has held ten meetings since establishment, comprising two in 2016, seven in 2017 and one in 2018. Minutes of Authority Meetings are published to the Meetings Section of the Authority website [here](#).

LSRA Activities to Date:

Reports:

The LSRA has had a small Executive in place since 1 January 2017. In accordance with statutory requirements and deadlines triggered by the establishment of the Authority, the LSRA has produced a series of reports and is required to produce further outputs into 2018.

The reports produced so far are as follows:

| Provision | Subject | Date Submitted |
|------------------|--|-----------------------|
| Section 118 | Public Consultation and Report to Minister for Justice & Equality in relation to the regulation, monitoring and operation of legal partnerships | 31 March 2017 |
| Section 119 | Researched Report to the Minister for Justice & Equality on the establishment, regulation, monitoring, operation and impact of multi-disciplinary practices in the State. | 31 March 2017 |
| Section 21 | Annual Report of the LSRA for 2016 | 30 April 2017 |
| Section 118 | The Authority committed to submitting a further Interim Report to the Minister for Justice & Equality in relation to Legal Partnerships in mid-2017 | 31 July 2017 |
| Section 119 | Public Consultation and Report to the Minister for Justice & Equality on the establishment, regulation, monitoring, operation and impact of multi-disciplinary practices in the State. | 29 September 2017 |
| Section 120 | Public Consultation and Report to the Minister for Justice & Equality on certain matters relating to barristers | 29 September 2017 |

The reports that are required to be commenced in 2018 include as follows:

| Provision | Subject | Deadline for Submission |
|------------------|---|--------------------------------|
| Section 34(1)(a) | Report to the Minister for Justice & Equality on education and training arrangements for legal practitioners. | 30 September 2018 |

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|------------|---|-------------------------------|
| Section 6 | Review of the operation of the Legal Services Regulation Act, 2015. | 15 February 2019 ¹ |
| Section 21 | Annual Report of the LSRA for 2017 | 30 April 2018 |
| Section 20 | Strategic Plan for the LSRA for 2018-2020 | 30 April 2018 |
| Section 28 | Audited Accounts to end 2017 | Q1 2018 |

Once these reports are laid before the Oireachtas by the Minister for Justice & Equality, they are published to the LSRA [Reports](#) page.

Legal Partnerships:

Section 100 relates to the introduction of Legal Partnerships. The Authority is required, under the 2015 Act, to focus its resources on developing the framework for the establishment and regulation of Legal Partnerships. This represents a significant body of work for the Authority and will continue to occupy its resources well into 2018.

Roll of Practising Barristers:

The LSRA intends to commence the roll of practising barristers, as required by section 133 of the 2015 Act, in the second quarter of 2018. Once commenced the LSRA will have six months to enter on the roll the name of every person who is a practising barrister as defined in the Act.

Complaints and Inspections:

When fully operational, the LSRA will be responsible for handling complaints in respect of legal practitioners under Part 6 of the Act and also for carrying out inspections of legal practitioners under Part 3 of the Act. The implementation of these parts of the Act requires the commitment of significant resources as well as the development of the capacity of the LSRA to undertake these vitally important functions.

The LSRA engaged an external consultant to review the Legal Services Regulation Act, 2015 and to prepare a commencement schedule.

The consultant reported that the establishment of the complaints function under part 6 of the Act would require

- the staffing and resources to operate the complaints system to be in place;
- for the transfer of staff from the professional bodies, under section 26 of the Act, to have been completed or significantly advanced;
- for an IT complaints handling system to have been developed alongside premises and additional infrastructure;

¹ The LSRA intends to submit this report in Quarter 4 2018.

- for the establishment of the Complaints and Review Committees and the Legal Practitioners Disciplinary Tribunal.

The LSRA are in the process of recruiting and seconding the staff necessary to deliver on the broad range of statutory obligations under the 2015 Act.

The LSRA are also progressing the following:

1. Identification of Long-Term Premises;
2. Developing organisational infrastructure, including Organisational structure and systems, IT case management systems (including GDPR requirements), IT web-based systems;
3. Implementation of the DPER [Code of Practice for the Governance of State Bodies](#);
4. Development of a GDPR strategy;
5. Introduction of an Audit and Risk Committee.

Workforce Planning and Recruitment

The LSRA have completed a workforce planning exercise and have produced a draft workforce plan. The LSRA are in the process of procuring the services of a workforce planning expert to review and quality assure the plan.

Conclusion

The LSRA has completed a substantial volume of work to date, and remains committed to meeting its statutory deadlines having regard to its functions and responsibilities set out in Section 13 of the Act. In particular, the Authority is committed to the principles set out in Section 13(4) of the Act, which states that:

“The Authority shall, in performing its functions of the regulation of the provision of legal services under this Act, have regard to the objectives of –

- a) protecting and promoting the public interest,*
- b) supporting the proper and effective administration of justice,*
- c) protecting and promoting the interests of consumers relating to the provision of legal services,*
- d) promoting competition in the provision of legal services in the State,*
- e) encouraging an independent, strong and effective legal profession, and*
- f) promoting and maintaining adherence to the professional principles...”*

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