



Legal Services Regulatory Authority

MINUTES FINAL

10th Meeting of Legal Services Regulatory Authority – Minutes (FINAL)

Location: LSRA
Date: 15 February 2018
Time: 17:30 to 20:00
Agenda: Annex I

Attendees:

Authority Members	Executive and Secretariat	Others
Eileen Barrington	Brian Doherty (CEO)	
Angela Black	Ultan Ryan (Secretary)	
Geraldine Clarke *		
Joan Crawford		
Stephen Fitzpatrick		
Dermott Jewell		
James MacGuill		
Deirdre McHugh		
Don Thornhill		
Gerry Whyte		

* Geraldine Clarke by Teleconference

Item 1

1.1 Agenda adopted.

1.2 Declaration of Interests on agenda items. None arising.

1.3 Minutes of Authority meeting of 11 November 2017 approved.

1.4 CEO Report:

1.4.1 CEO provided the Authority with an update on the work of the Executive since the meeting of 16 November 2017. Key matters for Authority set out in the Agenda.

1.4.2 Update on workforce planning. Workforce plan is to be reviewed by an expert and final plan to be submitted to DPER.

- 1.4.3 Mechanisms to bring in staff to LSRA outlined including arrangements via Public Appointment Service and application by CEO for a recruitment licence.
- 1.4.4 Section 26 Transfer of Staff: CEO has written to the Bar of Ireland and the Law Society to commence formal engagement in respect of the transfer of staff to the LSRA in accordance with Section 26 the Legal Services Regulation Act 2015.
- 1.4.5 LSRA has engaged Office of Government Procurement (OGP) for procurement of Research resource to work on Section 34 (Research into Education and Training of Legal Practitioners). Supplementary Request for Tender (SRFT) under OGP Framework has issued with closing date of 28 February 2018 to meet LSRA research requirements.
- 1.4.6 Updates on progress on analysis of implementation requirements for Roll of Practising Barristers and the Levy of the Professions provided.
- 1.4.7 Update provided on engagement with Stakeholders.

Item 2 LSRA Policy and Procedure for Disclosure of Interests

- 2.1 Authority adopted the LSRA Policy and Procedures for Disclosure of Interests by Authority Members. Annual Disclosure of Interests Form to be completed and submitted to the Secretary for filing.

Item 3 Financial Reports

- 3.1 Management Accounts for December 2017 noted by Authority. Language in respect of nature of advances under Section 32 of the Act to be examined.
- 3.2 Draft Budget for 2018 discussed and approved subject to clarification on methodology and revision of layout to include 2017 outturn as comparator.

Item 4 Update on Legal Partnerships

- 4.1 Update on Legal Partnerships: The Authority members were updated on the progress of the implementation and timelines of an enabling framework for Legal Partnerships. Further updates will be provided at the next Authority meeting. Authority agreed that a general update on Legal Partnerships should be published to the website and maintained for the period of the project.

Item 5 LSRA Strategic Plan

- 5.1 The Authority reviewed and approved the Strategic Plan subject to certain approved amendments to be included by the Executive.

Item 6 Risk Management Strategy

- 6.1 The Authority instructed the Executive to proceed with plans for putting in place a Finance, Audit and Risk (FAR) Committee as soon as practicable.
- 6.2 The Authority raised the General Data Protection Regulation (GDPR) as being among the key risks for the organisation.
- 6.3 The Authority agreed to a format for the Executive to provide updates to the Authority on risk status and controls through the CEO Report at each Meeting.

Item 7 Authority Terms of Reference

- 7.1 The Authority approved the Terms of Reference Document, including Schedule of Matters Reserved for Decision of the Authority subject to an amendment in respect of resource management.

Item 8 Draft Corporate Governance Assurance Agreement

- 8.1 The Authority noted that a Corporate Governance Assurance Agreement is a requirement under DPER Code of Governance and approved the CEO engaging with the Department of Justice & Equality with a view to finalising and signing based on the draft presented at the meeting subject to minor amendments.

Item 9 Section 6: Review of the Legal Services Regulation Act 2015

- 9.1 The Authority approved the commencement of the review of the 2015 Act in accordance with Section 6:

Review of Act

6. (1) The Authority shall—

- (a) not later than 18 months after the establishment day, and not later than the end of each subsequent 3 year period, commence a review of the operation of this Act, and
- (b) not later than 12 months after the commencement of a review under *paragraph (a)*, make a report to each House of the Oireachtas of its findings and conclusions, including such recommendations (if any) to the Minister resulting from that review as it considers appropriate.

- (2) Recommendations under *subsection (1)(b)* shall include such recommendations (if any) for amendments to this Act (including amendments to *Part 7*), the Solicitors Acts 1954 to 2015 or any

instrument made under those Acts, as the Authority considers appropriate arising from its findings and conclusions.

(3) In conducting a review under this section, the Authority shall consult with the Competition and Consumer Protection Commission, professional bodies and such other persons as the Authority considers appropriate for such purpose.

9.2 The Executive were asked to ensure that the public consultation on the review of the Act was extensive and thorough.

Item 10 Closed Session

Item 11 AOB

11.1 Matter raised in respect of a submission received under Section 119 public consultation (Multi-Disciplinary Practices (MDPs)). The submission was blocked by email security management software and was not picked up for consideration in the Report to the Minister on MDPs at end September 2017.

The Authority members discussed the submission and commented that it was well prepared, detailed and made a considered argument. The Authority considered that points made in the submission and in particular, the conclusion on page 7 of the submission were aligned with the conclusions reached by the Authority in the published section 119 report.

Therefore, following consideration of the submission the Authority decided that the section 119 report as previously laid before the Houses of the Oireachtas should stand but that the LSRA Executive be tasked with taking the following remedial action:

- The LSRA Chief Executive Officer was asked to write formally to the author of the submission and to apologise on behalf of the Authority members for the systems failure, which led to the e-mail being quarantined.
- The LSRA Executive have also been tasked with providing the Department of Justice with a copy of the relevant submission.
- LSRA Executive were also tasked with ensuring that a better means of monitoring submissions received electronically was put in place to avoid this issue arising in future.

Action Points – Meeting of 15 February 2018	
Agenda Item	Action
1.4.2	<ul style="list-style-type: none"> Executive to proceed with Workforce Planning review.
1.4.3	<ul style="list-style-type: none"> Executive to continue with HR solution plans.
1.4.5	<ul style="list-style-type: none"> Executive to continue with procurement of Research Services, particularly in respect of Section 34 Report on Education and Training.
2.1	<ul style="list-style-type: none"> Policy & Procedures for Disclosure of Interests approved and Members to submit completed forms for Annual Declaration 2018 to Secretary.
3.1 3.2	<ul style="list-style-type: none"> Executive to clarify points in 2018 Budget with Accountants in respect of methodology and presentation. Budget to be reviewed and revised as necessary for each Authority Meeting.
4.1	<ul style="list-style-type: none"> Update on Progress for Legal Partnerships project to be provided for next meeting.
5.1	<ul style="list-style-type: none"> LSRA Strategic Plan amendments to be completed. Strategic Plan to be submitted to the Minister for Justice & Equality. Strategic Plan to be circulated to stakeholders and published to LSRA website.
6.1	<ul style="list-style-type: none"> Executive to proceed with putting in place FAR Committee as soon as practicable. Executive to include GDPR on risk register and to report to Authority on plan for GDPR compliance. CEO Report for future Authority Meetings to include updates on Risk Register.
7.1	<ul style="list-style-type: none"> Executive to amend approved Terms of Reference as agreed.

8.1	<ul style="list-style-type: none"> Executive to amend Corporate Governance Assurance Agreement and submit to DJE CEO to sign agreed Final Draft once agreed with DJE.
9.1	<ul style="list-style-type: none"> Executive to commence stakeholder engagement in respect of Section 6 Review of the Legal Services Regulation Act 2015.
11.1 11.2	<ul style="list-style-type: none"> Executive to communicate decision of the Authority to Mr. Fitzpatrick Executive to arrange for Mr. Fitzpatrick's submission under Section 119 (Multi-Disciplinary Practices) to be forwarded to the Minister for Justice & Equality for association with the Section 119 Report submitted in September 2017.

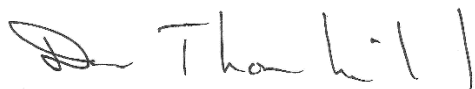
Final Minutes Signed



__19 April 2018__

Ultan Ryan, Secretary

Date



__19 April 2018__

Don Thornhill, Chairperson

Date