



## MINUTES FINAL

### 12<sup>th</sup> Meeting of Legal Services Regulatory Authority – Minutes (FINAL)

**Location:** LSRA  
**Date:** 28 June 2018  
**Time:** 17:30 to 20:00

#### Attendees:

Authority members	Executive and Secretariat	Others
Eileen Barrington	Brian Doherty (CEO)	
Joan Crawford	Ultan Ryan (Secretary)	
Stephen Fitzpatrick		
James MacGuill *		
Deirdre McHugh		
Sara Moorhead		
Don Thornhill (Chairperson)		
Gerry Whyte		

\*James MacGuill by Teleconference

#### Apologies:

Angela Black, Geraldine Clarke, Dermott Jewell.

## Section 1 - Governance

### Item 1 General

- 1.1 Agenda adopted.
- 1.2 Declaration of Interests on agenda items. None arising.
- 1.3 Minutes of Authority meeting of 19 April 2018 approved.
- 1.4 **CEO Report:**

- 1.4.1 Members were informed that the Chairperson and CEO would be attending the Joint Oireachtas Committee on Justice & Equality on 4 July 2018. Invitation from Clerk of the Committee stated:

*“I am directed by Mr Caoimhghín Ó Caoláin TD, Chairman of the Joint Committee on Justice and Equality, to invite you (or a nominee(s)) to a meeting of the Committee. The Committee has not yet had the opportunity to meet with the Legal Services Regulatory Authority, and would welcome an engagement in order to be updated on the role and functions of the Authority, and your views on how successfully or otherwise the Legal Services Regulation Act has operated to date, or whether you believe any legislative change is necessary or desirable in order for you to better carry out our role.”*

- 1.4.2 Overview of Risk Register provided.
- 1.4.3 Executive awaiting response from Department of Public Expenditure and Reform (DPER) in respect of sanction for recruitment of Fixed Term Contract (FTC) legal advisers. Response due 29 June 2018.
- 1.4.4 Draft Code of Conduct for Members of the Authority was discussed. Some clarification required in the Code on decisions at Authority Meetings. Code of Conduct for Authority Members approved subject to amendment by Executive to reflect Members’ ability to disclose decisions and progress on issues generally following Authority meetings.
- 1.4.5 Executive will be meeting Accountants week commencing 9 July to review 2018 Budget based on actual activity for first 6 months of the year. Revised Budget for Q3 and Q4 2018 will be presented at the next Authority meeting.
- 1.4.6 Authority approved extension of lease agreement for serviced premises for a further 12 months from October 2018 to end September 2019.

## **Item 2 Finance**

- 2.1 Management Accounts – May 2018 approved.

### **LSRA Policy and Implementation**

## **Item 3 Finance Audit and Risk (FAR) Committee Charter and Membership**

- 3.1 Stephen Fitzpatrick provided an update on the appointment of the FARC members and it is anticipated that the Committee will have its first Meeting in Q3 of 2018. It will be a 5 person Committee with a lay chairperson (Mr

Fitzpatrick) and lay majority. The Authority approved the appointment of 2 external members.

- 3.2 The Authority acknowledged and approved the LSRA Finance Audit and Risk Committee Charter and Terms of Reference as proposed by the Chairperson of the FAR Committee, Mr Fitzpatrick.

#### **Item 4 Update Paper on Legal Partnerships**

- 4.1 The Authority were provided with an update on the Executive's implementation of a framework for Legal Partnerships. This included updates on:
  - 4.1.1 Action Plan for Implementation
  - 4.1.2 Code of Practice for Barristers in Legal partnerships
  - 4.1.3 Draft Professional Indemnity Insurance (PII) Regulations
  - 4.1.4 General Regulations
  - 4.1.5 Communication Strategy
  - 4.1.6 Appointment of Inspectors
- 4.2 The subject of Third Party Managed Accounts (TPMAs) was discussed briefly in the context of holding client moneys in a Legal Partnership model.
- 4.3 The tight timeline for achieving the Q3 target was noted by the Authority. The Executive will continue to work to that target as set out in the Strategy Statement.
- 4.4 Authority requested sight of the Draft Regulations when they are sufficiently developed.

#### **Item 5 Update on Section 34 Legal Education and Training Report**

- 5.1 The Public Consultation under Section 34 closed on 15 June 2018. In total, there were 35 submissions received under the Public Consultation.
- 5.2 Executive provided an update on progress to date and an indicative timeline for completion of key milestones.
- 5.3 The Research Team will be holding meetings with key stakeholders over 2/3 July 2018. This will include a progress and review meeting with the Executive.
- 5.4 Authority asked Executive to ensure that further activity to reach-out to small firms should be undertaken as part of the research work for the report. Executive will engage with Research Team to follow-up.
- 5.5 Executive confirmed that diversity was included in the Terms of Reference for the research project.

- 5.6 Authority asked for sight of the questions included in the omnibus questionnaire to consumers.
- 5.7 Authority asked the Executive to provide a report on the submissions received under the public consultation for Section 34.
- 5.8 Authority proposed that the Executive develop a format and medium for the completion of future public consultations, which will help with the quality, and analysis of the submissions received.

#### **Item 6 Update on Section 6 Review of the 2015 Act**

- 6.1 Executive provided an update on progress to date on this project.
- 6.2 The Public Consultation for the Section 6 Review of the 2015 Act is open until 27 July 2018.
- 6.3 Executive updated the Authority on the analysis of the Levy provisions in the 2015 Act by an independent expert Financial Consultant. This work is underway and a report will be completed in July. It is intended that the report will be shared with the Department of Justice & Equality.

#### **Item 7 Update on Roll of Practising Barristers**

- 7.1 Executive informed the Authority that a commencement order setting out the enabling provisions in the 2015 Act for the Roll of Practising Barristers was signed by the Minister for Justice & Equality on 28 June 2018. The commencement date is 29 June 2018.
- 7.2 On 29 June 2018, Executive will upload the following to the LSRA website:
  - Application Form
  - General Guidance Note on the Roll
  - Guidance note for the Application Form
  - Guidance for barristers who are in employment
- 7.3 A dedicated email address for the receipt and management of Applications to be entered on the Roll will also be activated and electronic Roll will be created on 29 June 2018.
- 7.4 Barristers who are required to be entered on the roll can download and complete the Application form and post or email to the LSRA.

## Item 8 Authority Self-Assessment

- 8.1 Authority members raised no issues in respect of the report output on the Self-Assessment of the Authority.

## Item 9 Closed session

## Item 10 AOB

- 10.1 Under AOB, Secretary to work on Schedule of meetings to end 2018 and for 2019.

Action Points – Meeting of 28 June 2018	
Agenda Item	Action
1.3	<ul style="list-style-type: none"><li>Minutes of 19 April 2018 Meeting to be uploaded to website in due course.</li></ul>
1.4.3	<ul style="list-style-type: none"><li>Executive to proceed with recruitment of Fixed Term Contract (FTC) legal advisers subject to sanction from DPER.</li></ul>
1.4.4	<ul style="list-style-type: none"><li>Code of Conduct for Authority Members agreed subject to amendment to reflect Members' ability to disclose decisions and progress on issues generally following Authority meetings.</li></ul>
1.4.5	<ul style="list-style-type: none"><li>Executive to meet with Accountants to review and revise 2018 Budget for presentation and next Authority Meeting.</li></ul>
3.1	<ul style="list-style-type: none"><li>Executive to work with Chairperson of Finance Audit and Risk (FAR) Committee and Accountants (<i>CrowleysDFK</i>) to complete appointments to the committee and progress to first meeting of Committee.</li></ul>
4.4	<ul style="list-style-type: none"><li>Executive to circulate Draft Regulations for Legal Partnerships when sufficiently developed.</li></ul>
5.4	<ul style="list-style-type: none"><li>Executive to follow-up with Section 34 research team to ensure that there is sufficient consultation with small firms as part of the project.</li></ul>

5.6	<ul style="list-style-type: none"> <li>Executive to circulate to the Authority the questions included in the omnibus consumer questionnaire.</li> </ul>
5.7	<ul style="list-style-type: none"> <li>Executive to provide a summary report on the submissions received under the Section 34 Public Consultation.</li> </ul>
5.8	<ul style="list-style-type: none"> <li>Executive to develop a Format and Medium template and procedures for the more efficient and effective management of future public consultations.</li> </ul>
6.3	<ul style="list-style-type: none"> <li>Executive to engage with Department of Justice &amp; Equality following completion of independent expert's analysis of the Levy provisions in the 2015 Act.</li> </ul>
7.2 and 7.3	<ul style="list-style-type: none"> <li>Executive to upload required material to LSRA website to commence activity for establishment of the Roll of Practising barristers on 29 June 2018.</li> </ul>
10.1	<ul style="list-style-type: none"> <li>Secretary to work on schedule of Authority Meetings for balance of 2018 and year 2019 to be agreed by circulation with members prior to next Meeting.</li> </ul>

### Final Minutes Signed

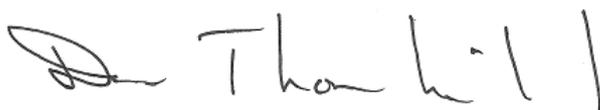



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6 September 2018

Ultan Ryan, Secretary

Date




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6 September 2018

Don Thornhill, Chairperson

Date