

FINAL MINUTES

Legal Services Regulatory Authority – Minutes

Location: Ormond Building, 31-36 Ormond Quay Upper, Dublin 7

Date: 15 June 2017

Time: 17.30 to 20.00

Agenda: Annex I

Attendees:

Authority Members	Executive and Secretariat	Others
David Barniville	Renee Dempsey – CEO (Interim)	JP McDowell (McDowell Purcell, legal advisers to the Authority)
Eileen Barrington	Cathy Egan – Acting Secretary	Barry Magee (McDowell Purcell)
Angela Black		
Geraldine Clarke		
Joan Crawford		
James MacGuill		
Deirdre McHugh		
Don Thornhill Chairperson		
Gerry Whyte		

Apologies:

- Stephen Fitzpatrick
- Dermott Jewell

The Authority agreed that in the unavoidable absence of the Secretary, Ultan Ryan, Cathy Egan would act in the role for the purpose of minute taking.

Item 2: Presentation on Implementation and Strategy for the LSR Act

[In the interests of efficiency, the Authority agreed to deal with Item 2 of the Agenda first as this was the only item requiring the attendance of JP McDowell and Barry Magee.]

1. Presentation from McDowell Purcell: (Doc Ref 20170615-LSRA-A-04)
2. JP McDowell and Barry Magee of McDowell Purcell gave presentation on a number of matters including s.118 Legal Partnership roadmap and interim report, s.119 outcomes from public consultation and s.120 outcomes from public consultation.
3. Following discussion, the Authority agreed that work should progress on the s.120 report but that the submission date may be more suitably the statutory deadline of 30 September 2017.
4. In the discussion concern was expressed by some that the consumer/citizen interest was not obvious from the consultation process, and that submissions from some parties, as well as others such as unions and business interest groups had not been received. It was explained by the CEO that an invitation to a wide range of interests had issued seeking submissions. On the request of the Authority, the Interim CEO agreed to send a list of the persons and organisations invited to make submissions to the Authority.
5. Following the presentation on a possible sequencing of the commencement of the 2015 Act, the Authority agreed that McDowell Purcell should prepare a document for further consultation identifying which sections could be commenced as standalone pieces.
6. The Authority further agreed that discussions will take place between the Chairperson and Interim CEO on the best approach and required supports for the drafting of a strategic or project plan.

Item 1

1. Agenda: (Doc Ref 20170615-LSRA-A-01). The Authority approved the Agenda.
2. Declarations of Interest: The Chairperson sought any declarations of interest. It was noted that most members of the Authority had substantive interests in its work.¹ It was agreed that for the purposes of the Authority, a declaration of interests shall be defined as something which is not common public knowledge in respect of that person, and that in particular commercial interests should be declared.
3. Minutes: (Doc Ref 20170615-LSRA-A-02) and (Doc Ref 20170615-LSRA-A-03). The Authority approved the minutes of 9 March 2017 and 30 March 2017 and agreed that they should be published in the normal course.
4. Matters arising: No other matters arose.

Item 5: Recruitment of CEO

¹ This is reflected in Sections 9(3) and 9(4) of the LSR Act

[This item was brought forward on the agenda owing to its particular relevance.]

[Closed session – Renee Dempsey, Interim CEO and Cathy Egan, Acting Secretary departed the room to allow a private discussion of the Authority on this item.]

1. Having heard from the representatives of the LSRA on the interview board, the Authority accepted the recommendation of the panel and agreed to offer the post of CEO to the individual recommended by the Search and Selection Panel formed by decision of the Authority.
2. That decision is to be conveyed to the recruitment agency to proceed.

Item 3: Financial Report

1. Financial Report: (Doc Ref 20170615-LSRA-A-05). Summary financial report was circulated to members. The Interim CEO discussed matters as raised in the Financial Report as prepared by the financial advisers.
2. The Authority noted the concerns raised by the Interim CEO in respect of the monies advanced by the Minister in respect of their status for accounting purposes. The Authority noted s.32 which provides that the Minister “shall advance” monies to the Authority. It was further noted that the then Minister has stated that these advances will be refundable. It was agreed clarification is needed on these matters.
3. The Authority also noted that any financial arrangements put in place must ensure the Authority’s independence from the Department of Justice and Equality.

Item 4: CEO Report

1. CEO Report: (Doc Ref 20170615-LSRA-A-06).
 - a. PQs: The Authority was informed of the ongoing discussions with the Department about putting in place a protocol on PQs.
 - b. Insurance: The Authority agreed that a paper should be prepared on obtaining relevant insurance covers for the Authority and its members to be presented at the next Authority meeting. It was noted that this matter should be reflected in the Strategic Plan (see above).
 - c. Extension of Interim CEO Contract: The Authority agreed to extend the contract to an as yet unspecified date (in light of the uncertainty about the start date of the new CEO).
 - d. Working Group: The Authority agreed to the establishment of a Working Group between the LSRA, the Law Society and the Bar Council on the levy for the professions which is required under the 2015 Act.
 - e. Premises: The Authority rejected the proposed offer of accommodation from the OPW on North King Street. It agreed to authorise the Interim CEO to continue the search for suitable accommodation.

Item 6

1. Closed session: The Authority agreed they did not require a further closed session.

Item 7

1. AOB: no items under AOB. Next meeting Tuesday 11 July 2017 at 17.30. Venue to be confirmed in due course.

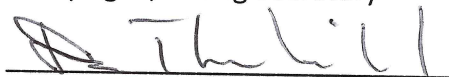
Action Points

Agenda Item	Action
1	Declarations of interest to continue to be made at the commencement of each meeting of the Authority, taking into account the following definition: <i>Something which is not common public knowledge in respect of that person, and in particular commercial interests.</i>
	Secretary to finalise minutes for signature by Chairperson.
2	McDowell Purcell to continue to progress work on s.119 report.
	McDowell Purcell to continue to progress work on s.120 report.
	Interim CEO to send a list of the persons invited to make submissions to the Authority.
	McDowell Purcell to prepare a document re sections of 2015 Act where commencement as standalone pieces may be possible.
	Discussions to take place between the Chairperson and Interim CEO on the options for the preparation of a strategic plan.
3	Clarification to be sought on the monies advanced by the Department.
	Financial arrangements put in place to ensure Authority's independence from Department.
4	Work on Protocol between LSRA and the Department to continue.
	Paper on relevant insurance for the Authority to be prepared and presented at next Authority meeting.
	Insurance issues to be considered and reflected in strategic plan.
	Interim CEO contract to be extended.
	Working Group between LSRA, Law Society and Bar Council on the levy to be established.
	Interim CEO to continue to seek appropriate accommodation.
5	Post of CEO to be offered to successful party.
	Decision of the Authority in terms of CEO to be conveyed to Recruitment Agency.
	Contract to be finalised.
	Probation requirements to be checked by Interim CEO.
	Medical assessment requirements to be checked by Interim CEO.

Final Minutes Approved and Signed:



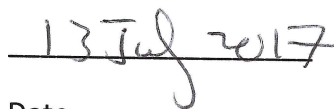
Cathy Egan, Acting Secretary



Dr Don Thornhill, Chairperson



Date



Date