



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

MINUTES FINAL

23rd Meeting of Legal Services Regulatory Authority – Minutes (FINAL)

Date: 24 September 2020

Time: 16:00 to 18:30

Attendees by video conference:

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

*Eileen Barrington delayed due to a court commitment.

Apologies:

N/A

Section 1 – Administration

1.0 General

1.1 Agenda adopted.

1.2 Declaration of Interests on agenda items. None arising.

1.3 Minutes of Authority meeting of 25 June 2020 approved. No matters arising.

Section 2 – Governance

2.0 CEO Report

2.0.1 CEO provided updates on highlighted activity since the last Authority meeting:

Update on COVID-19 Response:

CEO noted that circumstances are changing and the verbal report to the Authority reflects circumstances up to 24 September 2020.

All LSRA staff have been set-up for remote working with full system access and LSRA has been fully operational since early April. CEO and Secretary attend what were originally weekly but now fortnightly meetings via Zoom as part of Justice Civil Agencies network.

In line with Govt. Guidance in place at the time, the LSRA Executive began opening the Manor Street premises for a small number of staff on a phased basis from 2 September 2020. This followed the provision of training to all staff on COVID 19 Employee Awareness and Infection Control and the introduction of enhanced social distancing measures, signage and hand sanitizer stations. All staff have completed return to work questionnaires and have been provided with the necessary guidance documentation.

In light of court closures, the Solicitors Disciplinary Tribunal have adjourned all tribunals due to be heard up until the middle of October. The SDT operates with LSRA staff on secondment to the SDT. The LSRA Executive are engaging with the Law Society to ensure a safe return to work for the LSRA staff currently seconded to the SDT.

Statistics:

Roll of Practising Barristers has total 2,783 enrolled.

LLP Authorisations issued for total 210 LLPs at 17 September 2020.

1,241 files fitted criteria for complaint from 7 October 2019 to 6 September 2020.

Levy for Financial Year 2019:

Levy notices for 2019 financial year were issued on 15 July 2020. Total amount levied for 2019 financial year was €1,589,903.

Complaints Committee:

Online training and induction for Complaints Committee scheduled for October with first meetings scheduled thereafter.

Legal Practitioners Disciplinary Tribunal:

LPDT will be established shortly through Department of Justice & Equality. LSRA Executive will engage with the Chairperson of LPDT once appointed.

Advisory Committee for the grant of Patents of Precedence:

Committee has completed 2020 process for recommendations for senior counsel.

Section 218 – Advertising regulations:

Preparation of Regulations, including requirement for consultation with the professional bodies ongoing. Executive working to have Regulations for approval by the Authority at its next meeting.

Risk Management:

Risk Management update provided in report, including COVID-19 risk update.

3.0 Duly Authorised Register under 2015 Act

Authority approved the revised version of the Duly Authorised Register which included staff changes.

Section 3 – Finance

4.0 Financial Reports

- 4.1 Management Accounts for period ended 31 July 2020 were noted by the Authority.
- 4.2 Revised Budget 2020 was discussed and approved. Budget was revised in light of COVID-19 impacts and change of business practice arising from same. Savings of €800,000 were identified on the basis of scaled down activity and in-house solutions for certain activities.

Section 4 – LSRA Policy and Implementation

Eileen Barrington joined the meeting.

5.0 Further Section 34(1)(a) Report (Legal Education and Training):

The Authority discussed and approved the draft Report, subject to minor amendments. Executive to finalise the report and submit to the Minister.

6.0 Section 34(1)(b) Report (Unification of the Professions)

The Authority discussed and approved the draft Report. Executive to finalise the report and submit to Minister.

7.0 Solicitors Professional Indemnity Insurance Regulations 2020

The Authority reviewed the Regulations and duly authorised the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of Resolution with performing the function of the Authority under section 26 of the Solicitors Act 1994 (as amended) and as amended by section 201(a)(i) of the Legal Services Regulation Act 2015 to consent to the making of the Solicitors Professional Indemnity Insurance Regulations 2020 as required.

Proposed By: Dermott Jewell

Seconded By: Joan Crawford

Resolution included in full at Appendix I to these Minutes.

8.0 Solicitors (Money Laundering and Terrorist Financing) Regulations 2020:

The Authority reviewed the Regulations and duly authorised the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of Resolution with performing the function of the Authority under section 66 of

the Solicitors Act 1954 as amended by section 182 of the Legal Services Regulation Act 2015 to provide the concurrence of the Authority to the making of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020 as required.

Proposed By: Geraldine Clarke

Seconded By: Gerry Whyte

Resolution included in full at Appendix II to these Minutes.

9.0 Closed Session

10.0 AOB

James MacGuill confirmed to the Authority that he will not be seeking renewal of membership due to other commitments and wished the Authority well.

Action Points – Meeting of 24 September 2020	
Agenda Item	Action
1.3	<p><u>Minutes:</u></p> <ul style="list-style-type: none"> • Minutes of 25 June 2020 approved. • Secretary to upload to website
2.1	<p><u>CEO Report:</u></p> <ul style="list-style-type: none"> • Update on COVID-19 Response: Executive to proceed as outlined with implementation of business continuity. Update to be provided at next meeting.
3.0	<ul style="list-style-type: none"> • Revised Duly Authorised Register under 2015 Act approved by Authority. • Update will be required for next Authority Meeting to reflect any staff changes arising in the interim.
4.0	No actions arising
5.0	<p>Section 34(1)(a) Report (Education and Training):</p> <ul style="list-style-type: none"> • Amendments to be made to draft as agreed at the meeting; • Finalised Report to be submitted to the Minister by end September 2020.
6.0	<p>Section 34(1)(b) Report (Unification of the Professions):</p> <ul style="list-style-type: none"> • Executive to finalise report and submit to Minister by end September 2020.
7.0	<p>Solicitors Professional Indemnity Insurance Regulations 2020:</p> <ul style="list-style-type: none"> • The Authority reviewed the Regulations and duly authorised the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of Resolution with performing the function of the Authority under section 26 of the Solicitors Act 1994 (as amended) and as amended by section 201(a)(i) of the Legal Services Regulation Act 2015 to consent to the making of the Solicitors Professional Indemnity Insurance Regulations 2020 as required.

8.0	<p data-bbox="391 208 1348 241">Solicitors (Money Laundering and Terrorist Financing) Regulations 2020</p> <ul data-bbox="443 248 1380 517" style="list-style-type: none"><li data-bbox="443 248 1380 517">• The Authority reviewed the Regulations and duly authorised the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of Resolution with performing the function of the Authority under section 66 of the Solicitors Act 1954 as amended by section 182 of the Legal Services Regulation Act 2015 to provide the concurrence of the Authority to the making of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020 as required.
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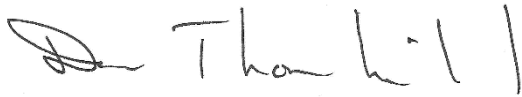
FINAL Minutes Signed



19/11/2020

Ultan Ryan, Secretary

Date



19/11/2020

Don Thornhill, Chairperson

Date

Appendix I Resolution of the Authority
Solicitors Professional Indemnity Insurance Regulations
2020



An tÚdarás Rialála
Seirbhíse Dlí
Legal Services
Regulatory Authority

Resolution of the Authority pursuant to section 13(7) of the Legal Services Regulation Act 2015 duly authorising the Chief Executive in exercise of function pursuant to section 201(a)(i) of the Act in respect of the Solicitors Professional Indemnity Insurance Regulations 2020

Proposed by: Dermott Jewell

Seconded by: Joan Crawford

Section 201:

Section 201 of the Legal Services regulation Act 2015 was commenced on 7 October 2019 with the other Part 13 commencements. Section 201(a)(i) amends section 26 of the Solicitors (Amendment) Act 1994, by the substitution of “The Society may, with the consent of the Authority, make regulations” for “The Society may make regulations”.

Section 26 of the Solicitors Act 1994 (as amended):

Section 26 of the Solicitors Act 1994, as amended, provides that the Law Society with “the consent of the Authority” may make regulations making provision for indemnity against losses arising from claims in respect of any description of civil liability incurred by a solicitor arising from their practice as a solicitor, by those working in a solicitor firm, and by a solicitor arising from their practice as a solicitor in a legal partnership, multi-disciplinary practice (“MDP”), or a limited liability partnership (“LLP”) within the meaning of the 2015 Act.

Solicitors Professional Indemnity Insurance Regulations 2020:

The Regulations relate to the Law Society making provision for solicitors professional indemnity insurance and are included in full at separate Annex I.

Resolution of the Authority:

The Authority has reviewed the Regulations and duly authorises the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of this Resolution with performing the function of the Authority under section 26 of the Solicitors Act 1994 (as amended) and as amended by section 201(a)(i) of the Legal Services Regulation Act 2015 to consent to the making of the Solicitors Professional Indemnity Insurance Regulations 2020 as required.

Signed by Secretary

Resolution passed on 24 September 2020

Appendix II Resolution of the Authority

Solicitors (Money Laundering and Terrorist Financing) Regulations 2020



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

Resolution of the Authority pursuant to section 13(7) of the Legal Services Regulation Act 2015 duly authorising the Chief Executive in exercise of function pursuant to section 182 of the Act in respect of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020

Proposed by: Geraldine Clarke

Seconded by: Gerry Whyte

Section 182:

Section 182 of the Legal Services regulation Act 2015 was commenced on 7 October 2019 with the other Part 13 commencements. Section 182 amends section 66 of the Solicitors Act 1954, in subsection (1) by the substitution of “the Authority” for “the President of the High Court”.

Section 66 of the Solicitors Act 1954 (as amended):

Section 66 of the Solicitors Act 1994, as amended by section 76 of the 1994 Act and by section 182 of the Legal Services Regulation Act 2015 provides that the Law Society with the concurrence of the Authority with the Law Society making regulations in respect of the obligations of solicitors pursuant to the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018.

Solicitors (Money Laundering and Terrorist Financing) Regulations 2020:

The Regulations relate to the Law Society making regulations pursuant to the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018 and are included in full at separate Annex I.

Resolution of the Authority:

The Authority has reviewed the Regulations and duly authorises the CEO, under section 13(7) of the Legal Services Regulation Act 2015 Act by way of this Resolution with performing the function of the Authority under section 66 of the Solicitors Act 1954 as amended by section 182 of the Legal Services Regulation Act 2015 to provide the concurrence of the Authority to the making of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020 as required.

Signed by Secretary

Resolution passed on 24 September 2020