



An tÚdarás Rialála
Seirbhísí Dlí
Legal Services
Regulatory Authority

Annual Report 2020



Independence

Innovation

Consumer Protection

*Transparency &
Accountability*



An tÚdarás Rialála
Seirbhísí Dlí
Legal Services
Regulatory Authority

Our VISION is:

To develop the LSRA into an efficient, effective and accountable regulatory body with the capacity to protect and promote the public interest and the interests of consumers of legal services whilst encouraging an independent, strong, competitive legal profession with high standards of professionalism and integrity.

Our MISSION is:

To regulate the provision of legal services by legal practitioners and ensure the maintenance and improvement of standards in the provision of legal services in the State.

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Our Values

The work of the LSRA is guided by core values:



Annual Report for year ended 31 December 2020

The Legal Services Regulatory Authority was established by the Minister for Justice and Equality on 1 October 2016, under part 2 of the Legal Services Regulation Act 2015.

This Annual Report on the performance of the Authority's functions in 2020 is made to the Minister for Justice and to the Oireachtas Joint Committee

on Justice in accordance with section 21(1) of the Act. This report covers the period 1 January 2020 to 31 December 2020.

Under section 21(1) of the Act, the Annual Report must be made no later than 30 April each year. This is the LSRA's fifth Annual Report.

1. Introduction

Who We Are

The Legal Services Regulatory Authority (the Authority) was established by the Minister for Justice and Equality on 1 October 2016.

The Authority is comprised of 11 members nominated in accordance with section 9 of the Legal Services Regulation Act 2015 (the Act). Authority members are appointed by the Government following nomination by the following 10 organisations:

- Citizens Information Board
- Higher Education Authority (An tÚdarás um Ard-Oideachas)
- Competition and Consumer Protection Commission
- Irish Human Rights and Equality Commission
- Institute of Legal Costs Accountants
- Consumers' Association of Ireland
- Bar Council (the Bar of Ireland)
- Legal Aid Board
- Honorable Society of the King's Inns
- Law Society of Ireland

The nominating bodies nominate one person each to the Authority, apart from the Law Society which nominates two Authority members. The nomination process is designed to ensure the independence of the Authority while also achieving a gender balance and a balance of interests between legal practitioners and consumers. The Authority has a lay majority and chair. The Authority is required under the Act to be independent in the performance of its functions.

When appointing a person to be a member of the Authority, the Government must be satisfied that he or she has knowledge of, and expertise in relation to, at least one of the following:

- the provision of legal services;
- legal education and legal training;
- competition law and policy;
- the maintenance of standards in professions regulated by a statutory body;
- dealing with complaints against members of professions regulated by a statutory body;
- business and commercial matters;
- the needs of consumers of legal services.

The executive function of the LSRA is provided by a Chief Executive Officer, the Secretary to the Authority and the staff of the LSRA. The Chief Executive Officer is Dr Brian Doherty and the Secretary is Ultan Ryan.

What We Do

The Legal Services Regulatory Authority is the independent regulator for the legal profession. The Authority is tasked with regulating the provision of legal services by legal practitioners and ensuring the maintenance and improvement of standards in the provision of those services in the State.

The Authority has eleven functions under the Legal Services Regulation Act 2015. These are to:

1. Regulate the provision of legal services by legal practitioners and ensure the maintenance and improvement of standards in the provision of such services in the State.
2. Keep under review and make recommendations to the Minister in respect of:
 - a. admission requirements of the Law Society, Bar Council, and Honorable Society of King's Inns;
 - b. availability and quality of education and training including ongoing training for the solicitors' and barristers' professions;
 - c. policies in relation to admission and, or, entitlement to practise of the Law Society, Bar Council and the Honorable Society of the King's Inns;
 - d. professional codes;
 - e. the organisation of the provision of legal services in the State.

3. Disseminate information in respect of the education and accreditation requirements and any other matters referred to above as the LSRA thinks fit.
4. Specify the nature and minimum levels of professional indemnity insurance in accordance with the Act.
5. Establish and administer a system of inspection of legal practitioners for the purposes of the Act.
6. Receive and investigate complaints against legal practitioners.
7. Establish and maintain the Roll of Practising Barristers.
8. Promote public awareness and disseminate information to the public in respect of legal services, including the cost of such services.
9. Keep the Minister informed of developments in respect of the provision of legal services and make recommendations to assist the Minister in coordinating and developing policy.
10. Undertake, commission or assist in research and other activities in respect of the provision of legal services which may promote an improvement in standards in services provision and promote public awareness of such services, and make recommendations to the Minister for Justice.
11. Perform any other functions conferred by the Act or by regulations made under it.

Our Objectives

The Legal Services Regulation Act 2015 sets out six statutory objectives of the Authority, which in effect are our operating principles. These are to:

1. Protect and promote the public interest.
2. Support the proper and effective administration of justice.
3. Protect and promote the interests of consumers relating to the provision of legal services.
4. Promote competition in the provision of legal services in the State.
5. Encourage an independent, strong and effective legal profession.
6. Promote and maintain adherence to the professional principles of legal practitioners specified in the Act.

Abbreviations and Terms used in this Report

Legal Practitioner

A practising solicitor or barrister (including a former solicitor or barrister and a firm of solicitors)

LPDT

Legal Practitioners Disciplinary Tribunal

LLPs

Limited Liability Partnerships

The Act

The Legal Services Regulation Act 2015

The professional bodies

The Bar of Ireland, the Law Society and the Honorable Society of King's Inns.

Probate

The process of applying to the court for a grant that entitles a person or persons to administer a deceased's estate.

Undertaking

A legally binding promise to do or not do something. In the context of complaints, these are specific agreements confirmed in writing by solicitors.

Failure to hand over

A failure to hand over files, title deeds etc. when required.

Failure to account

An omission by a legal practitioner to provide proper or complete accounts of monies held and received.

Foreword by the Chairperson



Dr Don Thornhill

I am pleased to introduce the 2020 Annual Report for the Legal Services Regulatory Authority. This is the Authority's fifth annual report, and it looks back on an extraordinarily demanding year as the LSRA adapted rapidly to the unprecedented challenges brought about by the Covid-19 pandemic.

The Covid-19 virus arrived in Ireland in early 2020. The World Health Organisation's decision in March 2020 to declare the Covid-19 outbreak a pandemic was a deeply sobering moment for us all.

The LSRA has been on the front foot since the beginning of this crisis. Following the Government's 'work from home' guidance issued in March, the LSRA's management team swiftly established new procedures and protocols to ensure the health and safety of staff and their families and the continued delivery of our important regulatory functions.

While adhering strictly to the necessary public health restrictions on work and travel during the year, the Authority completed several key pieces of work. These included the submission to the Minister for Justice of its second substantive report in two years on legal practitioner education and training. In that report, the Authority made a total of 12 recommendations which lay the groundwork for improvements in how barristers and solicitors are educated and trained. These would see, for the first time, a definition of the competence and standards required to practise as a solicitor or barrister. The Authority's report also recommended the establishment of a statutory framework to accredit existing providers of legal practitioner education and training as well as, for the first time, allowing new providers to be accredited to provide professional training.

Taken together, the recommendations open up the prospect of providing greater equity of access to the legal professions as well as the improved responsiveness of professional legal training to the evolving needs of Irish society. It was my pleasure to present the Authority's recommendations to the Minister in October in a virtual meeting, alongside the LSRA's Chief Executive Officer Dr Brian Doherty. We now look forward to engaging with department officials on an implementation plan to reform the system of legal practitioner education and training.

In a significant regulatory step, the Authority became responsible for the regulation of advertising of legal services in 2020. Following a series of consultations with key stakeholders, the Authority issued Advertising Regulations in December, and further work is planned in 2021 to build awareness of the new regime among solicitors and barristers and promote compliance.

During 2020 the initial four year term of several Authority members expired. Following a government decision, the appointment of one new Authority member and the reappointments of four current Authority members, including myself, were approved by the Dáil and Seanad in November. I would like to take the opportunity here to thank outgoing Authority members Prof Gerry Whyte and James MacGuill SC and to welcome Simon Murphy as a new Authority member nominated by the Law Society.

Authority members met on five occasions in 2020. The first of these meetings was held in person, while the remainder took place remotely. I thank my fellow Authority members for their hard work, commitment and active engagement throughout the year. I also commend them for their flexibility and focus in embracing new technologies and adjusting to new ways of meeting and deliberating in a virtual environment.

This year's Annual Report charts our progress towards the goals in our second Strategic Plan for 2019-2022. This sets the roadmap for the next two years as we seek to finalise the commencement of the remaining sections of the 2015 Act and begin to benchmark the work we are undertaking so that we can set ourselves ambitious but realistic performance targets. The year 2021 will be an important one for the Authority. We will work on an implementation plan for reforms in the area of legal practitioner education and training. At the request of the Minister, we will undertake important research on the economic and other barriers faced by trainee and early career solicitors and barristers.

We will also launch the frameworks for the establishment of a new legal services business structure, Legal Partnerships. The sections of the Act which relate to Legal Partnerships are due to be commenced in 2021. Their introduction will mean that, for example, barristers and solicitors will be able to work together within one business entity or partnership. Consumers will be able to visit a solicitor and barrister operating in the same premises as a "one-stop shop" for the provision of legal services.

It is no exaggeration to say that the year under review has been a demanding one for the Authority. A great deal of hard work has been undertaken by the LSRA's skilled, enthusiastic and dedicated staff under the leadership of Chief Executive Officer, Dr Brian Doherty. Thanks to their efforts, we are now much closer to our goal of fully establishing the Legal Services Regulatory Authority so that it can fulfil the comprehensive range of functions and duties conferred on it under the Act. It is heartening to reflect on the achievements of the past year and to know that whatever testing times lie ahead, we are well prepared to meet fresh challenges head on.

Dr Don Thornhill
Chairperson

Introduction by the Chief Executive Officer



Dr Brian J. Doherty

The year under review in this report was an utterly exceptional one for the LSRA, as the impact of the Covid-19 pandemic tested us all.

From the first lockdown in March, the year brought unforeseen and unprecedented operational and human resources challenges. It is a credit to the adaptability and resilience of LSRA managers and staff that we were able to change tack swiftly and continue to make progress towards our strategic goals.

Looking after the welfare of staff while continuing to build the capacity of the organisation was our primary focus during the year under review. To this end, we immediately introduced a range of new measures and processes to ensure compliance with public health advice and prevent any risk of staff contracting or spreading the virus. Remote working was introduced for all staff, who were provided with equipment, software, training and other supports to allow them to work safely from home. Important adjustments were made to ensure that our core services, including receiving and investigating complaints against legal practitioners, were successfully maintained. In fact, as this report shows, our complaints staff were as busy as ever as the rate of complaints actually increased as the year progressed.

The year was significant for being the first full year of operations for several of our key functions. We introduced the framework for authorising partnerships of solicitors to operate as Limited Liability Partnerships (LLPs) in November 2019. In 2020, a total of 230 partnerships of solicitors were authorised as LLPs, bringing the total number LLPs in the State to 258 by the end of the year. Of the LLPs authorised in 2020, 74 are in county Dublin, with 38 in Cork and 12 in Galway.

We made concerted efforts over the year to engage with applicants and explain the processes required; the prompt turnaround time for LLP applications shows that these are increasingly well understood by applicants.

The year under review was also our first full year operating as the independent complaints handling body for complaints about solicitors and barristers. We began receiving and investigating complaints in October 2019 and recruitment and training of complaints staff continued throughout 2020 as the department expanded. Complaints staff were kept particularly busy throughout the year ensuring that standards were maintained while operational adjustments were made to cater for remote working. Work also continued on completing the architecture of the complaints process as set out in the Act, with the establishment of the Complaints Committee for misconduct complaints and the Review Committee for complaints about legal services standards and costs. With these committees set up, and the independent Legal Practitioners Disciplinary Tribunal also established, the complaints handling architecture under the Act is now almost fully in place.

During 2020 the LSRA received more complaints about solicitors than barristers, reflecting their higher numbers and greater level of direct contact with consumers. Of a total of 1,422 complaints received during the year, 1,389 related to solicitors while 33 related to barristers (multiple complaints may be made about an individual legal practitioner).

The first year for any new complaints body provides an opportunity to test processes, policies and procedures. Every complaint received and processed and every interaction with the public or with legal practitioners is an opportunity to assess how we are doing business. In 2020 there was time for frequent and intensive collaboration of staff to review how new systems were

operating and where efficiencies might be found. Whilst we have been able to accomplish this work and to review and improve our processes over the reporting period, it is true to say that this was made all the more difficult due to the necessary Covid-19 restrictions.

As the number of new complaints grew steadily throughout the year, we focused on safeguarding against any diminution in the quality of our services to consumers and legal practitioners. Our resources were stretched and we were unable to meet our ambitious recruitment targets for 2020 across all departments including complaints. In addition, the induction and training of both new complaints staff and new Complaints Committee and Review Committee members was inevitably more logistically challenging and prolonged than it would have been had we been able to work on a side-by-side basis. We also faced teething issues relating to the interpretation of key complaints provisions in the Act. The combined impact of these challenges means that we closed out this most testing of years with more live complaints on hand than we would have liked.

Such exigencies aside, the year also contained very many highlights and milestones. These included assuming responsibility for the regulation of advertising of legal services, with the signing into law of new Advertising Regulations. Under these regulations, barristers are subject to statutory rules on advertising for the first time. We also provided significant administrative assistance to the Advisory Committee on the grant of Patents of Precedence which was established in April 2020. Solicitors and barristers may now apply via the LSRA's website to the Advisory Committee, which recommends to government that an applicant be granted a patent to use the title Senior Counsel. Until 2020, solicitors were not eligible to use the title Senior Counsel, which was reserved only for barristers.

It was a busy year on the communications front as we worked to find new ways to engage online with both external and internal stakeholders. We launched our revamped website and opened our Twitter account @LSRAIreland. Both of these platforms allow us to better communicate and interact directly with legal professionals, consumers and other stakeholders. Among the many efforts made to maintain connections between staff and across departments, we also introduced virtual coffee morning sessions and a monthly e-newsletter with light-hearted content.

The quality and quantity of our research outputs was high during the year, with the publication of six statutory reports including our report on legal practitioner education and training which made recommendations for far-reaching reforms to how solicitors and barristers are trained. It was a pleasure for both myself and the Authority's chairperson to present our recommendations to the Minister for Justice, who showed firm interest in the reform proposals and a commitment to future collaboration on an implementation plan.

Before the lockdown took effect in March, I was able to speak about the work of the LSRA at several events hosted by Bar Associations and the Bar of Ireland. For the remainder of the year, I attended events via online platforms. Webinar engagements included the annual International Conference of Legal Regulators and the launch of the annual Smith & Williamson survey of legal firms.

As in previous years, I am grateful to the staff and management of the Law Society, the Bar of Ireland and the Honorable Society of King's Inns for their assistance in our endeavours, particularly in a year when their members faced such significant disruption to their lives and livelihoods. While the independence of the LSRA is at the forefront of all that we do, successful and effective regulation cannot be achieved without ongoing engagement with the professional bodies and other stakeholders including those who made written submissions to our various consultations.

The LSRA was just about to move into our new Dublin offices when the first national lockdown took effect in March 2020. While the office move was successfully completed, staff have yet to enjoy a full day together in the new premises in Stoneybatter, Dublin 7. I look forward to when that day comes and I am able to thank all the LSRA staff in person for their continued commitment, enthusiasm and hard work. Until then, they have, as always, my heartfelt gratitude.

Dr Brian J. Doherty
Chief Executive Officer

Strategic Plan 2019-2022

The Strategic Plan 2019-2022 sets out three strategic priorities for the LSRA. This Annual Report documents how the LSRA performed against these priorities during 2020.

Strategic Priority One

To establish the LSRA as a fully functioning independent, effective regulatory authority, delivering a high level of quality service to identified and benchmarked standards.

Strategic Priority Two

The LSRA will encourage and introduce innovation and advancement in education and training, admission to the legal profession, legal practice business models, access to justice by the consumer and other areas of legal services.

Strategic Priority Three

Increasing awareness through communication and engagement.

These strategic priorities form the basis of our work in the following areas:

- **Complaints, Investigations and Resolutions**
- **Legal Services, Levy and Registration**
- **Research and Reporting**
- **Communications and Engagement**
- **Governance and Management**



From left to right: CEO of the Victorian Bar, Katherine Lorenz; President of the Victorian Bar, Wendy Harris QC; Dr Brian Doherty; and Nicole Papaleo, barrister.

2020 AT



12 RECOMMENDATIONS ON
LEGAL PRACTITIONER
EDUCATION & TRAINING



230 LIMITED LIABILITY
PARTNERSHIPS
AUTHORISED

74 LLPS IN DUBLIN
38 LLPS IN CORK
12 LLPS IN GALWAY

NEW
ADVERTISING
REGULATIONS



2,823
PRACTISING
BARRISTERS
ON ROLL

UP **88** FROM 2019



3,605

PHONE CALLS AND EMAILS
REQUESTING INFORMATION
AND/OR COMPLAINT FORMS



812
FILES CLOSED

1,422
COMPLAINTS

1,389
RELATING
TO SOLICITORS &
33 BARRISTERS

A GLANCE

4 CONSULTATIONS



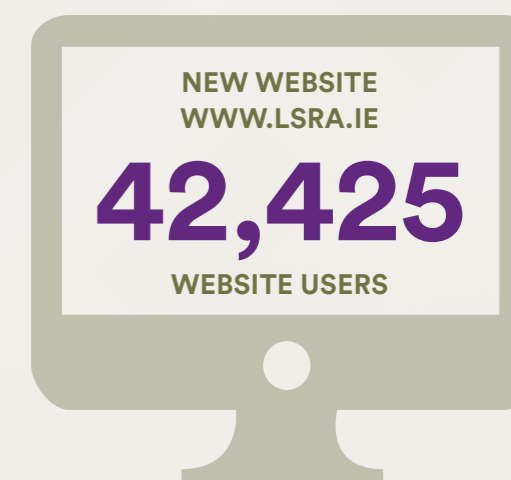
21 PRESS RELEASES
& NEWS UPDATES



22 MEDIA
INQUIRIES



#WETWEET @LSRAIRELAND



UP **50%** ON 2019

4 AUTHORITY
MEMBERS
REAPPOINTED



1 NEW
AUTHORITY
MEMBER



2 COMPLAINTS
COMMITTEES
SET UP



NEW
OFFICES

33
STAFF



UP **9** FROM 2019

2. How We Regulate

Complaints, Investigations and Resolutions

This is the second year that we have reported in our Annual Report on our complaints handling. The LSRA began receiving and investigating complaints about solicitors and barristers on 7 October 2019, following the commencement of Part 6 of the Legal Services Regulation Act 2015. The Annual Report for 2019 therefore covered the first three months of complaints.

This report covers the first full year of our complaints handling operations, which underwent considerable adjustments during the year as a result of Covid-19 workplace restrictions.

We continued to receive and investigate a high level of complaints consistently throughout the year.

In addition, we published guides on the informal resolution of complaints as well as various other documents setting out complaints-related policies and procedures. These are to assist both the public and legal practitioners and are all available on our website.

The Complaints, Investigations and Resolutions Department continued to grow steadily. The total number of staff working in this department stood at 19 at the end of 2020, up from 12 at the end of 2019. Many of the new staff were recruited, inducted and trained remotely.

Complaints Committee and Review Committee Established

Both the Complaints Committee and the Review Committee were established in 2020 to carry out their statutory functions. Both committees have a majority of lay members. The Complaints Committee has 27 members in total appointed by the Authority. These are comprised of: eight members nominated by the Law Society; four members nominated by the Bar of Ireland (formerly the Bar Council); and fifteen lay members who were appointed following a competitive selection process.

The Complaints Committee may sit in Divisional Committees of three or five members. Complaints of alleged misconduct that have been found to be admissible are referred to the Complaints Committee for investigation. There were three sittings of Divisional Committees of the Complaints Committee in 2020.

The Review Committee's members are nominated and appointed in the same way as the Complaints Committee. It sits in groups of three and can review determinations made by the LSRA on complaints that relate to inadequate legal services or charging excessive costs. The Review Committee was not required to carry out that function in 2020.

A total of four induction and training days were held during the year for members of both committees, who took part via online platforms with the assistance of LSRA staff and an experienced external trainer.

Types of Complaints

Under Part 6 of the Act, the LSRA can receive three types of complaints:

- **that the legal services provided were of an inadequate standard;**
- **that an amount of costs sought by the legal practitioner for legal services was excessive;**
- **that an act or omission of a legal practitioner constitutes misconduct.**

Misconduct is broadly defined in the Act and includes an act or omission which involves fraud or dishonesty, or which is likely to bring the profession into disrepute. It also includes the provision of legal services which were of an inadequate standard to a substantial degree, or the seeking of grossly excessive costs.

Only a client – or a person acting on behalf of a client – can bring a complaint to the LSRA where the client considers that the legal services provided were of an inadequate standard or that the amount of costs sought were excessive. When it comes to alleged misconduct by a legal practitioner, any person can make a complaint to the LSRA.

Complaints under the Act's three grounds are classified by the LSRA into a range of categories as part of an administrative process to aid our reporting. For example, complaints alleging inadequate standards of legal services and excessive costs are recorded by areas of work such as litigation, conveyancing, probate and family law. Complaints alleging misconduct are recorded under categories that relate to the nature of the act or omission that gives rise to the complaint. The statistics for 2020 show the number of complaints under each of the three types and the range of categories.

Our Complaints Reporting Duties

The LSRA is required under section 73 of the Act to report on the performance of its complaints function every six months. To date two such reports have been published, the first one for the period 6 October 2019 to 6 March 2020 was published in April 2020. The second one for the period 7 March to 6 September 2020 was published in October 2020. As those reports deal exclusively with complaints, they give more information and provide a more detailed analysis of the statistics than is included here.

Receiving and Investigating Complaints

The Act and associated Regulations set out detailed processes for the handling of complaints about legal practitioners, including a series of statutory deadlines which must be observed.

Complaints handling begins with files opened initially as queries. Complaints staff then scrutinise these files to decide whether a query should be classified as a complaint or be dealt with as a query. This process is an important stage in the complaints handling process; in some cases it can generate a considerable amount of correspondence between complaints staff and complainants to clarify details of issues raised.

Preliminary Review for Admissibility of Complaints

Once a query is classified as a complaint, the LSRA is required under the Act to conduct a preliminary review to determine whether or not the complaint is admissible. As part of this process, the LSRA must notify the legal practitioner of the complaint in writing, provide the legal practitioner with a copy of the complaint, and request a written response with observations. Complaints staff may also at this preliminary review stage request additional information in writing from either the complainant or the legal practitioner. In complex complaints this process may require several rounds of communication between the parties.

“ I have this morning received into my bank account the final funds due to me from the inheritance of my father... I therefore now hereby withdraw my complaint. I hugely appreciate your efficiency in dealing with it and especially the promptness, understanding, voluntary compassion and sound advice with which your reception staff have responded to my calls. ”

Informally Resolving Complaints

The LSRA encourages early resolution of complaints where appropriate. The Act requires the LSRA to invite the parties to make efforts to resolve matters in relation to admissible complaints that relate to:

- **legal services of an inadequate standard;**
- **excessive costs; or**
- **misconduct which, if substantiated, would constitute legal services of an inadequate standard to a substantial degree.**

Staff who work to resolve complaints informally through the LSRA's informal resolution process are qualified mediators accredited by the Mediators' Institute of Ireland.

Depending on the type of complaint, where the parties decline an LSRA invitation for informal resolution, or where a complaint cannot be informally resolved, the complaint then comes back into the complaints process. It will then proceed to be determined by the LSRA or, in the case of a misconduct complaint, be referred to the Complaints Committee.

As a result of Covid-19 related lockdowns during 2020, work on informal resolution of complaints was somewhat complicated due to the inability to offer face-to-face meetings to resolve complaints. There have been fewer cases informally resolved than anticipated, and those that took place have been shuttle mediations by telephone. The LSRA continues to work to find ways to resolve complaints informally within the challenging environment of the Covid-19 restrictions.

New Queries and Complaints in 2020

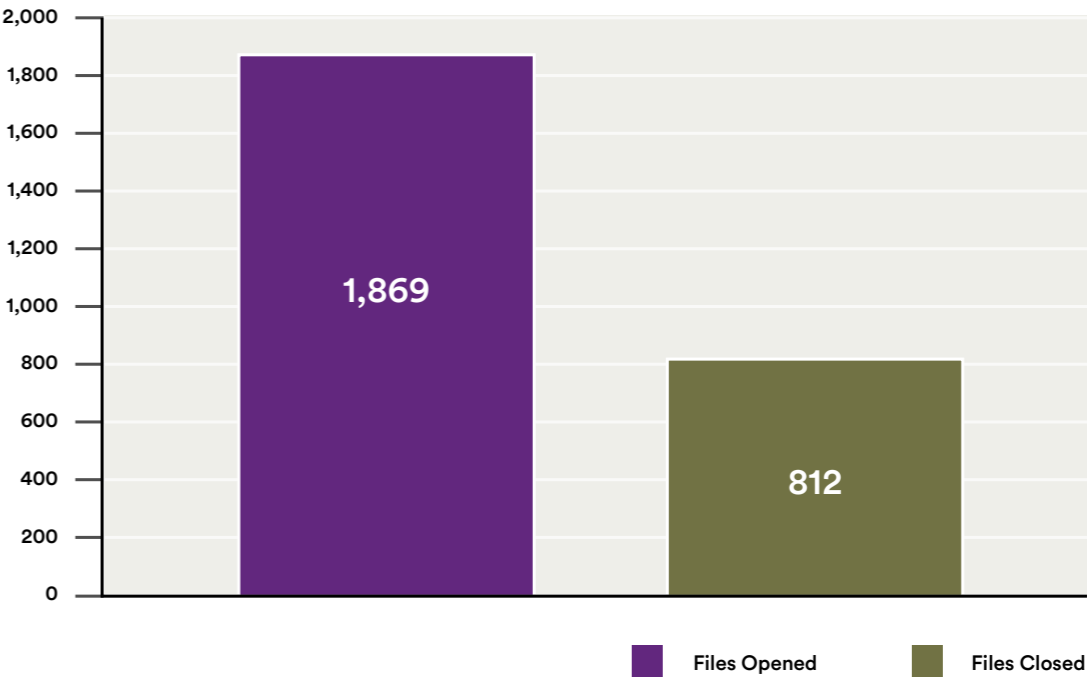
The Complaints, Resolutions and Investigations Department received a total of 3,605 phone calls and e-mails in the year requesting information and/or complaint forms.

In all, a total of 1,869 query files were opened by complaints staff in 2020. Following an assessment of these files, 1,422 were subsequently classified as complaints and were then subject to a statutory pre-admissibility assessment process. The remaining 447 query files that were not classified as complaints were ultimately closed. As set out above, the processing of queries can often involve substantial work by the LSRA staff and generate a considerable amount of correspondence as we seek to address issues raised or provide requested information. In addition, 365 complaints files were closed during the year, bringing the total number of closed files in 2020 to 812.

More complaints were received about solicitors than barristers in 2020, reflecting their higher numbers and greater level of contact with consumers. Of the 1,422 complaints received, 1,389 related to solicitors while 33 related to barristers. Multiple complaints may be brought against an individual legal practitioner. Figure 1 on page 22 shows the breakdown of complaints by county of the legal practitioners.

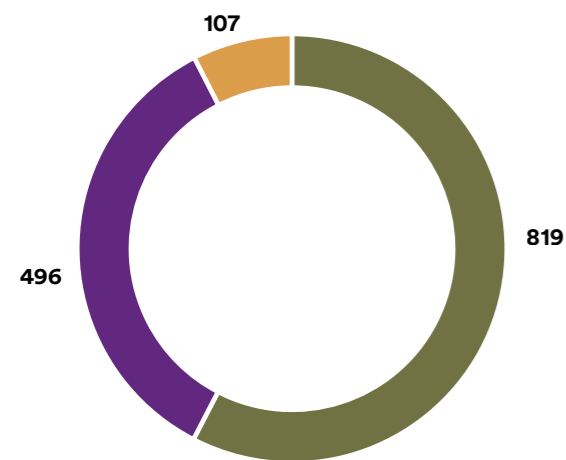
Certain themes that were identified early on in our complaints handling operations continued to be prominent in 2020. Poor communication is still very much at the heart of the majority of the complaints that are received.

TABLE 1: Queries and New Complaints in 2020



All New Complaints

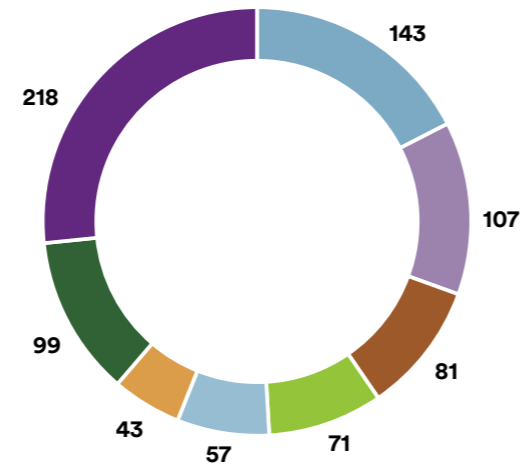
The largest category of complaints, at 819 (58%), related to alleged misconduct. A total of 496 (35%) were from clients in relation to alleged inadequate standards of legal services, and a further 107 (7%) were from clients who alleged they had been charged excessive costs.



| | | |
|---------------------|-------|-------|
| Misconduct | 819 | (58%) |
| Inadequate Services | 496 | (35%) |
| Excessive Costs | 107 | (7%) |
| TOTAL | 1,422 | |

Misconduct Complaints

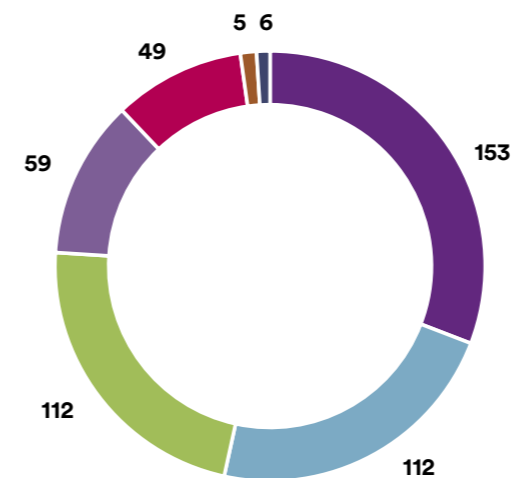
Of the 819 complaints of alleged misconduct, 218 related to conduct likely to bring the profession in to disrepute. A further 143 related to a failure to communicate, 107 a failure to hand over a file or other deeds and documents, 81 involved a failure to comply with an undertaking given to a colleague or financial institution, 71 related to failure to account for clients' money and 57 involved alleged fraud or dishonesty.



| | | |
|------------------------------------|-----|---------|
| Bringing profession into disrepute | 218 | (26.6%) |
| Failure to communicate | 143 | (17.5%) |
| Failure to hand over | 107 | (13.1%) |
| Undertaking | 81 | (9.9%) |
| Failure to account | 71 | (8.7%) |
| Fraud or dishonesty | 57 | (7.0%) |
| Conflict of interest | 43 | (5.3%) |
| Misc less than 5% | 99 | (12.0%) |
| TOTAL | 819 | |

Inadequate Standard of Legal Services

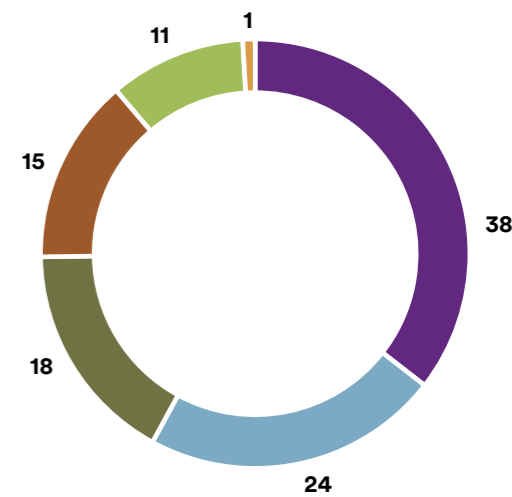
A total of 496 complaints were received alleging that the legal services provided were of an inadequate standard. Of these, 153 complaints related to litigation, 112 related to the administration of estates and a further 112 were in connection with conveyancing.



| | | |
|--------------|-----|---------|
| Litigation | 153 | (30.8%) |
| Probate | 112 | (22.6%) |
| Conveyancing | 112 | (22.6%) |
| Family | 59 | (11.9%) |
| Other | 49 | (9.9%) |
| Crime | 6 | (1.2%) |
| Employment | 5 | (1.0%) |
| TOTAL | 496 | |

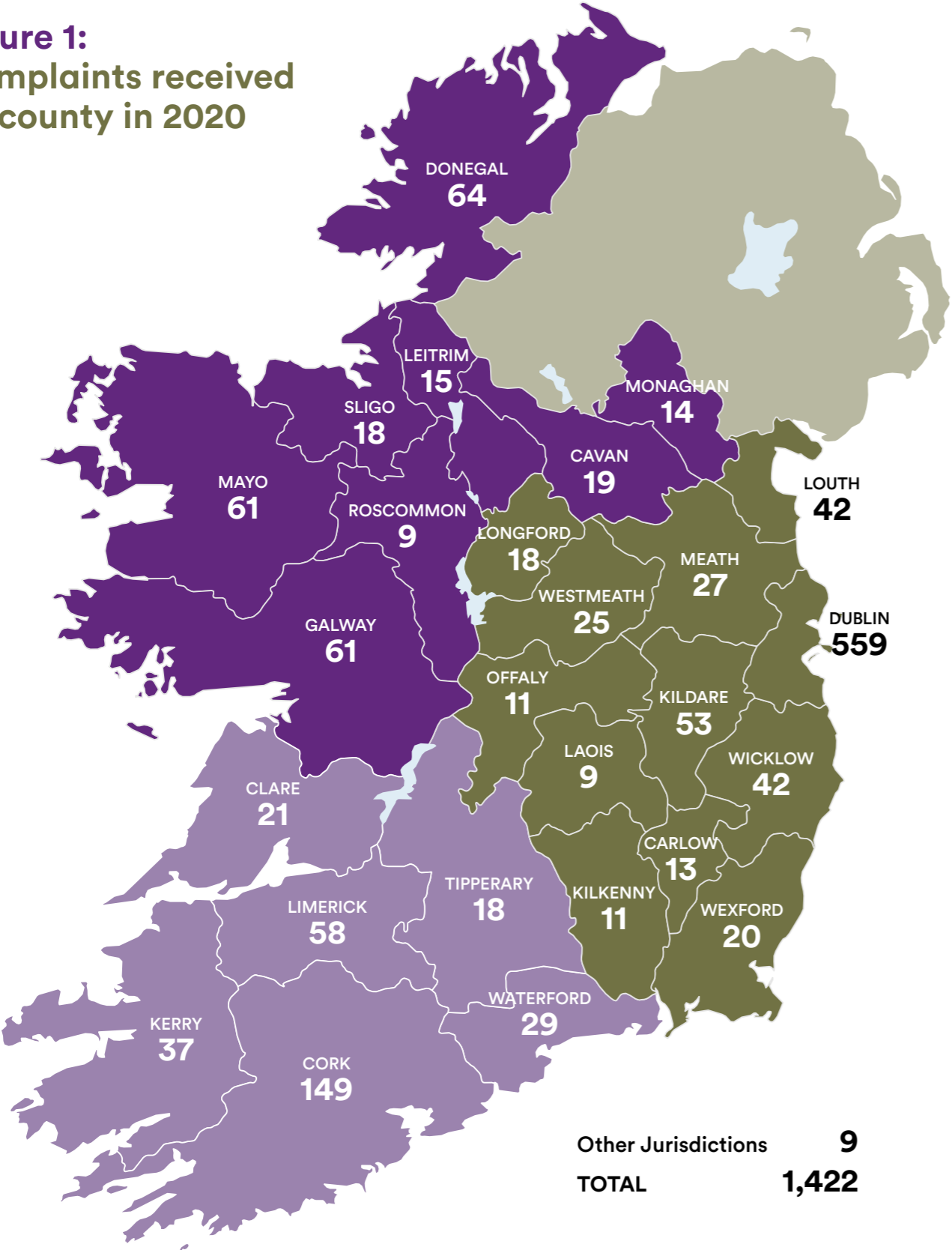
Excessive Costs

A total of 107 complaints were received which alleged that excessive costs had been sought. Of these, 38 related to litigation, with 24 relating to family law, 18 to conveyancing and 11 to probate.



| | | |
|--------------|-----|-------|
| Litigation | 38 | (36%) |
| Family | 24 | (22%) |
| Conveyancing | 18 | (17%) |
| Other | 15 | (14%) |
| Probate | 11 | (10%) |
| Employment | 1 | (1%) |
| TOTAL | 107 | |

Figure 1:
Complaints received
by county in 2020



Complaints Closed

A total of 365 complaints were closed during the year. Of these, 184 complaints were deemed inadmissible following a statutory assessment. The 2019 Annual Report highlighted the fact that a significant number of complaints were being informally resolved between the parties at a very early stage in the complaints process. That trend continued during 2020, with a total of 104 complaints resolved informally either pre or post-admissibility. The proportion of complaints being resolved in this way continues to be extremely encouraging.

A total of 62 complaints were withdrawn following exchanges of information between complainants and legal practitioners facilitated by the LSRA. A total of 15 complaints could not proceed for a variety of reasons including, for example, where court proceedings were in progress.

One complaint was referred to the Legal Practitioners Disciplinary Tribunal. The Divisional Committees of the Complaints Committee heard a total of 19 misconduct cases in 2020.

“ I just wanted to thank you for your time and attention in this matter. It is a great relief to me to put this matter to rest and I appreciate the fact that you clearly took the time to review and consider all of the (fairly extensive) information and documentation in the case. ”

“ Thank you so much for resolving this for me. I know it was a really minor matter in the great scheme of legal complaints but for me it was the very last straw in an unnecessarily prolonged and distressing unprofessional business relationship and I deeply appreciate your assistance in bringing the matter to resolution for me. ”

Complaints to the Ombudsman

Complainants who are unhappy that their complaint has been determined by the LSRA to be inadmissible can bring a complaint to the Office of the Ombudsman. In 2020, a total of 38 such complaints were made to the Ombudsman. Of these, 29 were closed on the basis that the Ombudsman was satisfied that the LSRA had dealt with the matters correctly. A total of three complaints were under investigation by the Ombudsman and six were pending investigation at the end of 2020.

“ I know this has been a lengthy email, and a lengthy process too, and I would like to take this opportunity to thank you profusely for all your assistance and patience and for providing such thoughtful and impartial mediation to this process. ”

“ I confirm the funds have arrived... on behalf of the family sincere thanks for your sterling work. ”

Disciplinary Tribunal Established

The Legal Practitioners Disciplinary Tribunal (LPDT) was established on 23 November 2020. The LPDT is an independent statutory body under the Legal Services Regulation Act 2015. It will consider complaints of misconduct against solicitors and barristers referred to it from the LSRA's Complaints Committee or the Law Society.

Under section 75 of the Act, the LPDT has a total of 33 members appointed by the President of the High Court on the nomination of the Minister. It has 21 lay members nominated by the Minister for Justice. It also has six nominees of the Bar of Ireland (formerly the Bar Council) and six nominees of the Law Society. Its inaugural chairperson is Tom Coughlan, one of the lay members nominated by the Minister. Mr Coughlan has extensive senior management and leadership experience having retired as Chief Executive of Clare County Council following a career in local government. The LPDT is a separate entity to the LSRA and is based in its own premises in Dublin 7. The LSRA provides the LPDT with administrative and technical support. The LPDT's five support staff are LSRA employees and its Registrar is a member of the LSRA's Senior Management team.

The formal establishment of the LPDT follows months of preparatory work by its support staff, some of whom were seconded by the LSRA to the Solicitors Disciplinary Tribunal during the year under review. The LPDT is a successor body to the Solicitors Disciplinary Tribunal and the Barristers Professional Conduct Tribunal. As an independent statutory body, the LPDT will in future report on its activities in its own Annual Reports.

Legal Services, Levy and Registration

Continued Growth of Limited Liability Partnerships

The number of partnerships of solicitors seeking authorisation from the LSRA to operate as Limited Liability Partnerships (LLPs) continued to grow at a steady pace in 2020. The LLP authorisation framework, the Legal Services Regulation Act 2015 (Limited Liability Partnerships) (Section 130) Regulations 2019, were issued on 23 October 2019.

A total of 230 partnerships of solicitors were authorised to operate as LLPs in 2020. This brought the total number of LLPs operating in the State to 258 by the end of 2020 (a total of 28 firms were authorised to operate in 2019).

Authorisation to operate with limited liability under the Act permits existing partnerships of solicitors to limit their personal liability. For example, their personal assets are protected from the negligence of other partners in the LLP. A partner may still be liable for a debt, obligation or liability arising from, for example, an act or omission of the partner which involves fraud or dishonesty and which was the subject of either a misconduct finding or a criminal conviction.

The limiting of personal liability by legal practitioners comes with responsibilities, including maintaining appropriate professional indemnity insurance and communicating effectively with clients and creditors as to the impact of the new operating model. The LSRA maintains and regularly updates the LLPs Register, a listing of partnerships of solicitors authorised to operate as LLPs. The Register is available on our website.

Throughout 2020, the LSRA continued to engage constructively with applicants and others. Staff addressed queries from firms related to LLPs and various processes under the Regulations. These included applications to operate as LLPs, to cease operating and where there was a change in the partners of an LLP. LSRA staff responded to 50 queries from partnerships of solicitors relating to LLPs.

Section 125(9) of the Act requires the LSRA to make a decision on whether to authorise a relevant business to operate as an LLP within 60 days following receipt of a valid application form and fee. The average processing time for LLP applications during 2020 was 34 days.

“ We are happy for the LLP to be effective from the 1st of June 2020. Many thanks for all of your assistance. I must say this process was straightforward and no fuss which was great. ”

Insights on new LLPs in 2020

LSRA data on the 230 partnerships of solicitors that were authorised to operate as LLPs during 2020 provides useful insights. A total of 74 LLPs were authorised in county Dublin, with 38 in Cork, 12 in Galway and eight each in counties Donegal,

Kerry, Kildare, Limerick and Louth. The majority of partnerships of solicitors (208) authorised as LLPs had between two and five partners. At the other end of the scale, a total of four solicitors' partnerships who were authorised during the year had more than 20 partners.

TABLE 2: LLPs Authorised in 2020 by County

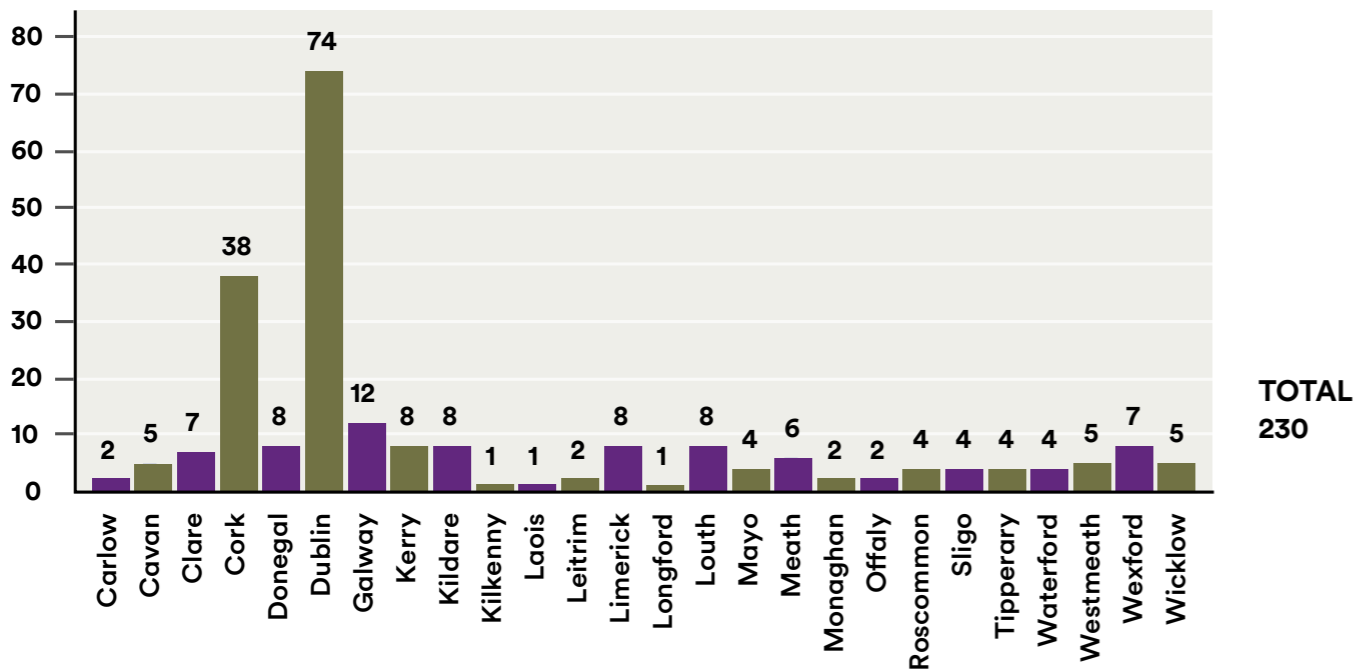
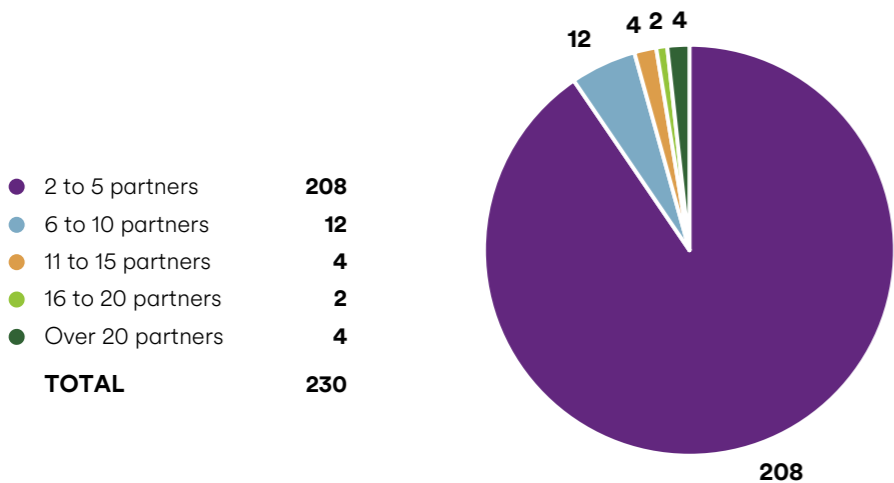


TABLE 3: LLPs Authorised in 2020 by Number of Partners



Second Year of Levy on the Professions

In 2020, the LSRA issued its second annual levy assessment notices. The Law Society of Ireland, the Bar Council (now the Bar of Ireland) and barristers who are not members of the Law Library are subject to the levy, under part 7 of the Act. The levy is the LSRA's principal funding mechanism. The amount of the levy payable in 2020 was for the operating costs and administrative expenses of the Authority incurred in the 2019 financial year.

The LSRA, with the consent of the Minister, determined the operating costs and administrative expenses of the Authority for the 2019 financial year. The LSRA then calculated the proportion of the levy payable by the Law Society, the Bar of Ireland and barristers who were not members of the Law Library. Legal practitioners in the full-time service of the State are exempt from the levy under section 97 of the Act. The number of complaints made against solicitors and barristers is a factor used in the calculation of the levy. The LSRA began accepting complaints in relation to legal practitioners on 7 October 2019, following the commencement of Part 6 of the Act. The levy for the 2019 financial year was €103.19 per barrister who was not a member of the Law Library, €104.04 per Law Library member and €111.06 per solicitor.

On 15 July, the LSRA, as required under section 95 of the Act, issued Levy Assessment Notices to the two professional bodies as well as 418 individual barristers who are not members of the Law Library. A total of 85 Further Notices were subsequently issued to non-Law Library members as required by section 96(2) of the Act. The LSRA also received and responded to 104 queries regarding the levy in 2020.

By the end of 2020, 99.8% of the levy for the 2019 financial year had been paid to the LSRA.

“ I would again like to put on record my appreciation for the manner in which fees continue to be set at such a reasonable, indeed low, level. ”

Maintaining the Roll of Practising Barristers

The LSRA maintains the Roll of Practising Barristers, a searchable online register of all barristers entitled to provide legal services in the State.

The Roll is available on the LSRA's website. It is an important tool by which members of the public can be assured that the barrister providing legal services on their behalf is lawfully entitled to do so. It is also necessary for the calculation and proper administration of the levy on barristers.

Qualified barristers are prohibited under section 136 of the Act from providing legal services if their names are not entered on the Roll.

The LSRA regularly updates the Roll, for example as new barristers are called to the Bar of Ireland and apply for entry to the Roll, where their details need

to be amended, or where they cease practising and request to be removed from the Roll.

Over the course of the year, the details of 166 practising barristers were added to the Roll. The average turnaround time for applications was three working days. A total of 87 queries related to the Roll were dealt with in 2020.

The Roll numbers grew from 2,735 on 1 January 2020 to 2,823 on 31 December 2020. Of these, 2,155 were members of the Law Library and 668 were not members of the Law Library. Over the course of the year, the LSRA received 188 requests for amendments to the Roll.

Barristers may request to be removed from the Roll when they no longer wish to provide legal services as a practising barrister. Barristers may also be removed from the Roll by the LSRA for other reasons including non-payment of the levy. A total of 76 barristers were removed from the Roll in 2020.

LSRA Takes Over Regulation of Advertising by Legal Practitioners

In December 2020, the LSRA assumed responsibility for regulating advertising by legal practitioners, under the Legal Services Regulation Act 2015 (Advertising) Regulations 2020. This means that, for the first time, advertising in relation to the provision of legal services by all legal practitioners is regulated under the same rules by the LSRA.

The Advertising Regulations apply to legal practitioners, legal partnerships, multi-disciplinary practices, limited liability partnerships and groups of legal practitioners who share a facility, premises or cost of practice.

Advertising by solicitors was previously regulated by the Law Society of Ireland under the Solicitors Advertising Regulations 2019. This is the first time that statutory rules for advertising have been set out for barristers.

Under the regulations, legal practitioners are allowed to advertise their legal services, with some restrictions on the content and form of the advertisements. The regulations largely reinforce existing prohibitions on legal services advertising and create new limitations.

Prior to issuing the Advertising Regulations, the LSRA engaged in two phases of consultation with the professional bodies, non-Law Library practising barristers and other key stakeholders. The LSRA also liaised with the Department of Justice and the EU Commission as part of this process.

The LSRA and Senior Counsel Applications

In April, the Authority established the Advisory Committee on the Grant of Patents of Precedence, under section 172(1) of the Act. The role of the Advisory Committee is to make recommendations to the Government to grant Patents of Precedence to solicitor and barrister applicants. A solicitor or barrister who is granted a Patent of Precedence is entitled to use the title of Senior Counsel. In addition, a barrister who is granted a Patent of Precedence is entitled to be called to the Inner Bar. Until the new applications system created in the Act was established, only barristers were entitled to seek the title Senior Counsel.

The seven-member Advisory Committee is chaired by the Chief Justice. The Chairperson of the Authority, Dr Don Thornhill, was nominated by the Minister for Justice to the Advisory Committee in 2020. The LSRA provided clerical and administrative assistance to the Committee during 2020. The Committee issued its first call for applications for recommendations in June 2020. It received a total of 76 applications, 47 from solicitors and 29 from barristers. In September, the Government approved the granting of the title of Senior Counsel to 20 barristers and 17 solicitors, based on the Committee's recommendations.

The Committee's calls for applications were made via the LSRA website, which posted detailed information for applicants, including application forms. The Committee's second round call for applications opened in December 2020 and closed in February 2021.

3. How We Engage & Innovate

Research Reports and Recommendations



The year saw the publication of a total of five statutory reports which reflect the range of the Authority's functions and its research and reporting responsibilities under the Act.

Complaints Reports 1 and 2

We are required under the Act to publish a report on the operation of our independent complaints handling function every six months. The LSRA began receiving complaints about solicitors and barristers on 7 October 2019 following the commencement of Part 6 of the Act. Our inaugural complaints report

under section 73 of the Act was published in April 2020. It reported on complaints up to 6 March 2020. The second complaints report, published in October, covered the reporting period from 7 March to 6 September 2020.

These bi-annual reports are intended to be useful to both the public and to legal practitioners. They highlight emerging themes in complaints and identify areas where it may be possible to learn lessons and to raise standards. The reports also include anonymised case studies which are aimed at helping both consumers and legal services providers learn from our examination of individual complaints.

Inaugural Annual Report on Admission Policies

The Authority's inaugural annual report on the admission policies of the legal professions was submitted to the Minister for Justice in April 2020 and laid before the Houses of the Oireachtas in June. The **Pathways to the Professions** report was required under section 33 of the Act, which was commenced on 7 October 2019. The report presented comprehensive data on the number of persons admitted to practise as solicitors and barristers during 2019. It followed a statutory consultation which attracted a total of 17 written submissions. The report represents an important baseline from which a more complete and nuanced picture of the various dynamics at play in this important area can be built up over time.

Final Report on Education and Training

A comprehensive report with 12 recommendations for reform of legal practitioner education and training was submitted by the Authority to the Minister for Justice in September 2020. The report was published and laid before the Houses of the Oireachtas in November 2020.

The report, **Setting Standards: Legal Practitioner Education and Training**, recommended reforms to, for the first time, define the competence and standards required to practise as a solicitor or barrister. It recommended the establishment of a statutory framework to accredit existing providers of legal practitioner education and training. It also recommended, for the first time, allowing new providers to be accredited to provide professional training for solicitors and barristers. The report's 12 recommendations are set out in full on page 33.

Setting Standards: Legal Practitioner Education and Training was the second report submitted to the Minister by the Authority in fulfilment of its statutory duty under section 34(1)(a) of the Act to report on the education and training arrangements in the State for legal practitioners.

The Authority submitted its first statutory report to the Minister in September 2018. That report was accompanied by a detailed study undertaken by an expert external review team engaged by the Authority. The external review team report by Hook Tangaza Consultants set out a series of proposals for reform of the education and training of legal practitioners.

The review team report found evidence of:

- a lack of clarity around the competencies required of a solicitor or barrister;
- the existence of indirect barriers to entry into the professions;
- the existence of unnecessary duplication in learning and assessment;
- a mismatch of the skills taught in current professional qualification courses with the needs of the users of legal services;
- the existence of some quality gaps; and
- a lack of independent oversight of the system of legal practitioner education and training.

Follow Up to Setting Standards Report

The LSRA's Chairperson and chief executive outlined the recommendations in the Authority's **Setting Standards** report during a virtual meeting with the Minister for Justice and the Minister of State in October. Following this meeting, the Minister notified the Authority that her department would engage with it in drawing up an implementation plan to reform the way legal professional education and training currently works.

The Minister also requested that the Authority conduct further research under section 34 of the Act and report with recommendations for change. The Minister's request was for the LSRA to consider the economic and other barriers faced by young barristers and young solicitors following their professional qualification. In considering these issues, the Minister has requested that the LSRA pay particular attention to equity of access and entry into the legal professions, and the objective of achieving greater diversity within the professions. The LSRA team began work on this request in 2020 and this will continue into 2021 with professional surveys of trainees and early career solicitors and barristers.

Report on Unification Question

Another significant report was submitted to the Minister for Justice in September in fulfilment of the Authority's statutory duty under section 34(1)(b) of the Act to report in 2020 on the question of "whether the solicitors' professions and the barristers' profession in the State should be unified."

The report, ***Greater than the Sum of Its Parts? Consideration of Unification of the Solicitors' Profession and Barristers' Profession***, concluded that at this stage in the Authority's regulatory timeline it would be premature to recommend that the two branches of the profession be unified. The Authority undertook in the report to return to the matter within five years. It is anticipated that the landscape for legal services provision will have evolved sufficiently in that time in order for the Authority to reconsider the question of unification as posed in the Act.

The report noted that the Authority took account of pending, proposed and potential reforms which would change the landscape for legal services delivery in the years ahead and impact on the regulatory framework for barristers and solicitors. The impact of these reforms would be to introduce new methods of legal services delivery as well as expanding the scope of existing models.

This report was published and laid before the Houses of the Oireachtas in November 2020.

Setting Standards: Legal Practitioner Education and Training Report 2020

Setting Standards: Legal Practitioner Education and Training makes a total of twelve important recommendations for reform of legal education and training for solicitors and barristers. The recommendations are:

1. The Authority recommends that the necessary statutory framework be introduced to establish an independent Legal Practitioner Education and Training Committee (the LPET Committee).
2. The Authority recommends that the LPET Committee be tasked with developing, implementing and maintaining a clear definition of the competence and standards required to practise as either a solicitor or barrister.
3. The Authority recommends, in line with the weight of the evidence gathered, that the LPET Committee should be established by the Authority but would be independent of the LSRA in its decision making.
4. The Authority recommends that the LPET Committee should be statutorily required and empowered to exercise the following functions:
 - To set the Competency Framework for legal practitioner education and training;
 - To develop a common set of competencies and standards for admission to professional legal training;
 - To ensure that existing providers of legal education and training adhere to the standards required by the Competency Framework on an ongoing basis;
 - To scrutinise and accredit new providers of legal education and training based on set criteria established by the LPET Committee;
 - To monitor the quality of legal education and training;
 - To encourage innovation in the provision of legal education and training;
 - To encourage diversity in legal education and training;
 - To engage with key stakeholders in legal education and training.
5. The Authority recommends that the LPET Committee in performing the above functions should have regard to a series of statutory objectives which could include:
 - Promoting the highest standards of legal education and training;
 - Promoting diversity in legal education and training;
 - Encouraging the training of ethical standards in all aspects of legal education and training;
 - Encouraging access to legal education and training;
 - Protecting and promoting the interests of the consumers of legal education and training.
6. The Authority recommends that as with the Authority's statutory requirement under section 13 of the 2015 Act, the LPET Committee should be statutorily required to be independent in the performance of its functions.
7. The Authority recommends that the LPET Committee should be permitted to make regulations where required, for example regulating the making of applications for accreditation as a new provider of legal education and training.
8. The Authority recommends that the LPET Committee be constituted as a part-time Committee with administrative and logistical support provided by the LSRA Executive. This would assist in reducing the administrative and establishment costs of running the Committee.
9. The Authority recommends that the LPET Committee should be made up of no more than seven members.
10. The Authority recommends a phased work programme for the LPET Committee as detailed in this report.
11. The Authority recommends that the LPET Committee should be funded by a blended funding model of State grant and fees for accreditation collected from providers.
12. The Authority recommends that the LPET Committee should adopt and adhere to the QQI "Statement of Principles for Programme Validation, Professional Accreditation and Approval, and other Professional Engagements with Education Providers" when finalised.

Communications and Engagement

As an organisation, we place a high priority on educating and informing legal practitioners. We endeavour to keep lawyers informed of their regulatory obligations and any changes to those obligations that come from new regulations. We do this by maintaining clear and regular direct engagement with the professions and the representative bodies.

The onset of the Covid-19 pandemic in March 2020 had an impact on the amount of in-person meetings and engagements that LSRA staff would normally have in a year, including Continuous Professional Development (CPD) events with solicitors and barristers. Like many organisations, the LSRA swiftly adapted to online meetings and events.

Across the reporting year, the Chief Executive held a total of four update meetings with the Law Society, three of which took place online. For the third consecutive year, the Chief Executive was a guest speaker at the launch of Smith & Williamson's annual survey of Irish law firms, which also took place online.

As part of the LSRA's ongoing stakeholder engagement work, the Chief Executive delivered talks at a total of three CPD events in Dublin and Waterford,

all of which took place before the introduction of restrictions on gatherings in response to the Covid-19 pandemic. The sessions were hosted by the Bar of Ireland, the Tallaght Bar Association, and the Waterford Bar Association. These engagements covered a variety of topics including the introduction of LLPs, the LSRA's complaints handling processes, Professional Indemnity Insurance Regulations, as well as a general update on the work of the LSRA to date. A full list of these and other activities are included in Appendix 1.

Communication was also a core feature of the work of the LSRA in the reporting period in terms of growing awareness of our regulatory functions amongst the public, consumers of legal services and our wider stakeholder base.

We seek to engage stakeholders through traditional and social media as well as face-to-face and, increasingly during the pandemic year, online activities. In order to work effectively, it is important to recognise who our stakeholders are and tailor our communications activities to relevant audiences to ensure key messages are delivered in a manner that maximises impact.

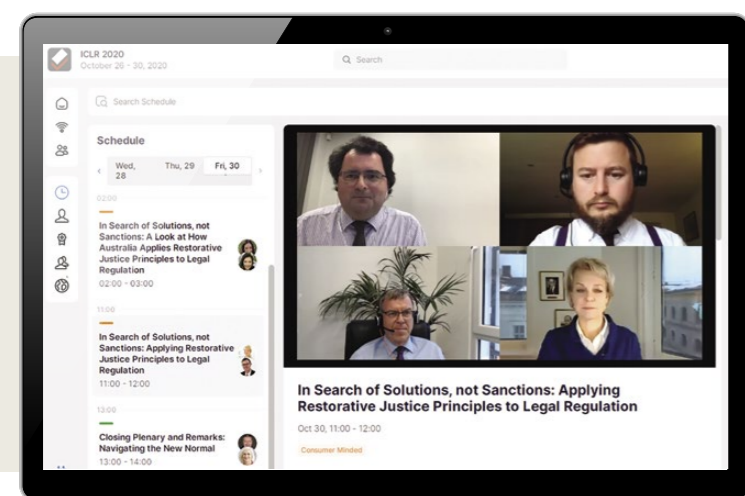
CEO Dr Brian Doherty chaired a session at the International Conference of Legal Regulators Annual Conference in October 2020. The session was called ***In Search of Solutions, not Sanctions: The Different European and African Approaches to Applying Restorative Justice Principles to Legal Regulation***. Speakers were Dr. Ian Marder, Lecturer in Criminology, Maynooth University; Ger Deering, the Financial and Pension Services Ombudsman in Ireland; and Merete Smith, Secretary General of the Norwegian Bar Association.

New and Improved Digital Platforms

In March 2020, we completed a significant redesign and rebuild of our website to enhance both usability and user experience. The new site includes all new content for providers of legal services and consumers. It includes accessibility features and is fully optimised for use on mobile devices. This marks an important milestone in our efforts to improve awareness among both consumers and lawyers of how we regulate and the services we provide. Further upgrades are planned in coming years.

There was an increase of just over 50% in visitors to our website in 2020 with 42,425 users, up from 21,088 in 2019. We use the latest news and activities section on the home page of the website to issue notices that are relevant for legal practitioners and consumers alike, such as our Covid-19 remote-working arrangements, our open consultations and the introduction of new regulations. We keep track of which pages are of most interest to our stakeholders with the use of Google Analytics.

In December 2020, we established a Twitter account, @LSRAIreland, which allows us to communicate directly with our stakeholders and the wider public and to highlight key messages and developments. Within 24 hours, the account had more than 150 followers. Our Twitter policy can be viewed on our website.



4. Governance and Management

Press Coverage of our Work

The LSRA issued a total of seven press releases in 2020 and posted 16 website updates in the home page Latest News and Activities section. We received coverage in the national and regional media as well as legal publications for a number of announcements and reports. These included statistics on complaints we received about solicitors and barristers in our reports issued in April and October. Our recommendations for reform of legal practitioner education and training also received national media coverage, and The Irish Times carried an opinion piece by the Chair of the Authority on the recommended reforms as well as an editorial.

The CEO was interviewed a total of four times on national and regional radio. Our press office responded to a total of 22 direct requests from journalists during the year.

In addition, the Law Society of Ireland's Gazette, the Bar of Ireland's Bar Review and the Dublin Solicitors Bar Association's publication, The Parchment, all carried regular features and updates for their respective members on the work of the LSRA including our reform recommendations.



Dr Don Thornhill – Chair

Dr Don Thornhill currently chairs the Legal Services Regulatory Authority. He also chairs the Standing Committee of Dublin Maternity Hospitals and is a consultant and adviser on strategy and policy. His previous board memberships have included the National Competitiveness Council, Hibernia College, the Chartered Accountants' Regulatory Board, the Irish Payments Services Organisation, the Irish Management Institute, Forfás, the Digital Hub, the Fulbright Commission and Science Foundation Ireland. Between 1993 and 2005 he was successively Secretary General of the Department of Education and Science and Executive Chair of the Higher Education Authority.



Eileen Barrington SC

Eileen Barrington is a graduate of Trinity College Dublin, the King's Inns and the College of Europe, Bruges. Eileen commenced practice as a barrister in 1994 and became a senior counsel in 2011. She practises mainly in the areas of European, commercial, administrative and regulatory law.



Angela Black

Angela Black is the Chief Executive of the Citizens Information Board. Qualified in ICT as well as banking risk, Angela's experience includes consumer financial services in the Department of Finance and Ireland's EU Commission negotiations. She worked on financial services in the European Commission in Brussels from 2007-2011 and chaired the European Parliament mortgage credit directive negotiations.



Geraldine Clarke

Geraldine Clarke is a partner in Gleeson McGrath Baldwin Solicitors in Dublin, where she practises in the area of litigation. She is a past President of the Law Society of Ireland. She is a former Chair of the Professional Ethics Committee of the International Bar Association and has served as a Board member of the Irish Financial Services Appeal Tribunal.



Joan Crawford

Joan Crawford is Regional Manager for the Legal Aid Board, having worked as a solicitor and subsequently as a Managing Solicitor in various Law Centres in the Dublin region. In her current role Joan is also involved in developing policy, governance and strategy for the Board. She has experience in general practice and local government, as well as extensive experience in family law and mediation, child abduction and child care cases in all courts. Joan has a Masters in Public Management and Diplomas in European Law, Child Care Law and Mental Health and Capacity Law. She is a member of the Dublin Solicitors' Bar Association and Family Lawyers' Association.



Stephen Fitzpatrick

Stephen Fitzpatrick is the managing partner of Peter Fitzpatrick & Co Legal Costs Accountants. He is also a Mediator and Costs Lawyer. Stephen is a past Secretary of the Institute of Legal Costs Accountants and has been a member of the board of the Legal Services Regulatory Authority since 2016 and currently is Chair of the Finance Audit and Risk Committee of the Authority.



Dermott Jewell

Dermott Jewell is Policy and Council Advisor to the Consumers' Association of Ireland. He was elected President of ANEC – The European Consumer Voice in Standardisation in June 2019. Mr Jewell is a member of the Chartered Institute of Arbitration (Irish Branch) CI Arb with accreditations in Employment Investigation and Mediation. He is a Member of the Irish Institute of Mediation and the Institute of Directors. He was recently awarded the IPA-UCD Professional Certificate in Governance.



James MacGuill (term ended September 2020)

James MacGuill qualified as a solicitor in 1986 having first obtained his BCL in UCC. He has practised continuously ever since mainly in the field of public law. He has served as President of the Law Society of Ireland (2007/2008) and is currently Second Vice President of the Council of Bars and Law Societies of Europe.



Deirdre McHugh

Deirdre McHugh is Head of International Affairs in the Competition and Consumer Protection Commission (CCPC). She was previously Head of Advocacy at the CCPC and has extensive experience in the area of competition and consumer policy. Deirdre holds a Postgraduate Diploma in EU Competition Law from King's College London. She has an MSc (Competition and Regulation) from NUI Maynooth and an M.A. (Economics) from University College Dublin.



Sara Moorhead SC

Sara Moorhead is a Senior Counsel and a Centre for Effective Dispute Resolution (CEDR) Accredited Mediator. She is primarily a trial lawyer/courtroom advocate. She has extensive expertise in the areas of Judicial Review, Personal Injuries, Administrative and Contract Law, Medical Negligence, Professional Negligence, Insurance Law, non-Jury, Asylum and Immigration law. She has represented the Government in proceedings before the European Court of Justice. She has also advised the Office of the Parliamentary Legal Adviser and acted as Legal Counsel in a number of Tribunals of Inquiry.



Simon Murphy (appointed October 2020)

Simon Murphy is a partner in JRAP O'Meara LLP Solicitors in Cork. He is a qualified Arbitrator and Mediator and a member of the Chartered Institute of Arbitrators. He is also a Centre of Effective Dispute Resolution (CEDR) accredited mediator. Simon served as President of the Law Society of Ireland in 2015-2016. He served as an elected member of the Council of the Law Society of Ireland for many years. He is a former president of the Southern Law Association.



Prof Gerry Whyte (term ended September 2020)

Gerry Whyte is a Professor in Trinity Law School, Trinity College Dublin. The author and co-author of books on public interest law, constitutional law and trade union law, he has also edited books on aspects of law and religion and Irish social welfare law. He is also active in a number of social justice and legal aid organisations.

Authority Appointments and Reappointments in 2020

Following a government decision on 28 October 2020, the appointment of one new Authority member and the reappointment of four current Authority members was approved by the Dáil and Seanad on Tuesday 10 November 2020.

The appointment and reappointments, which took effect from 1 October 2020, were:

- **Eileen Barrington SC**, reappointed nominee of the Honorable Society of King’s Inns.
- **Angela Black**, reappointed nominee of the Citizens Information Board.
- **Joan Crawford**, reappointed nominee of the Legal Aid Board.
- **Dr Don Thornhill (Chair)**, reappointed nominee of the Higher Education Authority.
- **Simon Murphy**, newly appointed nominee of the Law Society of Ireland.

Two Authority Members left in 2020

The term of two Authority members ended in September 2020. These were James MacGuill, a nominee of the Law Society of Ireland, who was replaced by Simon Murphy, and Prof Gerry Whyte, the nominee of the Irish Human Rights and Equality Commission.

This means that from October 2020 to December 2020, the Authority consisted of 10 members. This is permitted under the Act.



Our new offices in Stoneybatter, Dublin 7

TABLE 4: Authority Members’ Terms of Office

| Authority Member | Organisation | 1st Term of Appointment ¹ | 2nd Term of Appointment ² |
|-----------------------------|--|--------------------------------------|--------------------------------------|
| Angela Black | Citizens Information Board | 4 Years | 4 Years |
| Don Thornhill (Chair) | Higher Education Authority | 4 Years | 4 Years |
| Deirdre McHugh | Competition and Consumer Protection Commission | 3 Years | 3 years |
| Gerry Whyte ^{3***} | Irish Human Rights and Equality Commission | 4 Years | Ended 30/09/2020 |
| Stephen Fitzpatrick | Institute of Legal Costs Accountants | 3 Years | 3 Years |
| Dermott Jewell | Consumers’ Association of Ireland | 3 Years | 3 Years |
| Sara Moorhead ⁴ | Bar Council (Bar of Ireland) | 3 Years | 3 Years |
| Joan Crawford | Legal Aid Board | 4 Years | 4 Years |
| Eileen Barrington | Honorable Society of the King’s Inns | 4 Years | 4 Years |
| James MacGuill | Law Society of Ireland | 4 years | Ended 30/09/2020 |
| Geraldine Clarke | Law Society of Ireland | 3 Years | 3 years |
| Simon Murphy ⁵ | Law Society of Ireland | 4 Years | - |

¹ Under section 10 of the Act, five of the Authority members, selected by the drawing of lots, shall hold office for a period of 3 years, with the remaining members, including the Chair holding office for a period of 4 years. Members can be reappointed to the Authority, however the aggregate term of appointment shall not exceed 8 years.

² Members on 3 year term agreed to extend their terms by a further 3 years under section 10 of the 2015 Act.

³ IHREC nomination not confirmed by end 2020. Vacancy from 1 October 2020.

⁴ Sara Moorhead was appointed to the Authority in May 2018 following the appointment of David Barniville to the High Court. This appointment was for the remaining term of the original appointment.

⁵ Simon Murphy was appointed to the Authority.

Authority’s Activities

The Authority met on five occasions during the year, undertaking a significant body of work to continue to build the Legal Services Regulatory Authority. Due to Covid-19 impacts on business and associated restrictions, four of these meetings were held online. The minutes of all Authority meetings are published on the LSRA website.

Authority Meeting 1

At its first meeting of the year on 23 January, the Authority established the Complaints Committee pursuant to Part 6 of the Legal Services Regulation Act 2015. The Authority reviewed the LSRA Budget for 2020 and associated work plan. The Authority approved the draft LSRA Annual Report 2019.

Authority Meeting 2

At its second meeting on 2 April 2020, the Authority reviewed the LSRA’s move to new premises on 27 March 2020 and discussed the LSRA Business Continuity Plan to ensure optimum operations during Covid-19 pandemic restrictions. Covid-19 and its impacts were set as a standing agenda item and included in the LSRA’s Risk Register for 2020. The Authority approved the LSRA’s Draft 2019 Financial Statements. The Authority established the Review Committee pursuant to Part 6 of the 2015 Act. The Authority also established the independent Advisory Committee for the grant of Patents of Precedence pursuant to Part 12 of the Act. The Authority agreed the approach to undertaking the statutory report on the on the question of the Unification of the Professions pursuant to section 34(1)(b) of the Act. The Authority approved the statutory Annual Report on the Admission Policies of the Legal Professions pursuant to section 33 of the Act.

Authority Meeting 3

At its third meeting on 25 June, the Authority approved and authorised the Chief Executive Officer to engage with the Law Society on its behalf in respect of the Solicitors Acts 1954 to 2015 (Regulation of Practice Committee) Regulations 2020. The Authority reviewed and approved a revised LSRA budget, adjusted to take account of Covid-19 pandemic impacts on the LSRA in 2020.

Authority Meeting 4

At its fourth meeting on 24 September, the Authority approved the statutory report on the Unification of the Professions pursuant to section 33 of the Act for submission to the Minister. The Authority approved and authorised the CEO to engage with the Law Society on its behalf in respect of the Solicitors Professional Indemnity Insurance Regulations 2020 and in respect of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020. The Authority approved the further statutory report on Education and Training pursuant to section 34(1)(a) of the Act for submission to the Minister.

Authority Meeting 5

At its fifth meeting on 19 November, the Authority reviewed activity for 2020 and noted the first virtual sitting of the Complaints Committee and the completion of the 2020 patents process by the Advisory Committee for the grant of Patents of Precedence. The Authority welcomed the imminent establishment of the Legal Practitioners Disciplinary Tribunal (LPDT) and agreed to approve the finalised Advertising Regulations pursuant to section 218 of the 2015 Act for signing before end 2020.

Financial Statements and Procurement

In 2020, the Authority submitted its third set of Financial Statements for the period from January 2019 to December 2019, to the Comptroller and Auditor General for audit. On 29 December 2020, the Comptroller and Auditor General certified the accounts and reported that the LSRA Financial Statements gave a true and fair view of the assets, liabilities and financial position of the LSRA at 31 December 2019 and of its income and expenditure from 1 January 2019 to 31 December 2019 in accordance with Financial Reporting Standard (FRS) 102.

The Authority undertook procurement exercises in 2020 with the advice and assistance of the Office of Government Procurement. The procurement exercises employed the existing All-of-Government Frameworks.

Note: James MacGuill was replaced as one of the two Law Society nominees by Simon Murphy from 1 October 2020. By the end of the year, the nomination from IHREC had not been confirmed following the expiration of the term of office of Gerry Whyte in September 2020.

| TABLE 5: Attendance at Authority Meetings January to November 2020 | | | | | |
|--|----------|----------|----------|----------|----------|
| Members | 23/01/20 | 02/02/20 | 25/06/20 | 24/09/20 | 19/11/20 |
| Eileen Barrington | ✓ | ✓ | ✓ | ✓ | ✓ |
| Angela Black | ✓ | ✓ | ✓ | ✗ | ✓ |
| Geraldine Clarke | ✓ | ✓ | ✓ | ✗ | ✓ |
| Joan Crawford | ✓ | ✓ | ✓ | ✓ | ✓ |
| Stephen Fitzpatrick | ✗ | ✓ | ✓ | ✓ | ✓ |
| Dermott Jewell | ✓ | ✓ | ✓ | ✓ | ✓ |
| James MacGuill | ✓ | ✓ | ✓ | ✓ | n/a |
| Deirdre McHugh | ✓ | ✓ | ✓ | ✓ | ✓ |
| Sara Moorhead | ✓ | ✓ | ✓ | ✓ | ✓ |
| Simon Murphy | n/a | n/a | n/a | n/a | ✓ |
| Don Thornhill (Chair) | ✓ | ✓ | ✓ | ✓ | ✓ |
| Gerry Whyte | ✗ | ✓ | ✓ | ✓ | n/a |

Finance, Audit and Risk Committee

The LSRA's Finance, Audit and Risk (FAR) Committee is chaired by Authority member Stephen Fitzpatrick. Authority members Angela Black and Geraldine Clarke also sit on the committee along with the independent external members of the committee who are Peter O'Brien and Claire Byrne. The Secretary to the Authority is also Secretary to the FAR Committee.

The FAR Committee met four times in 2020. At each meeting, the FAR Committee receives a briefing from the Chief Executive Officer and formally reviews the LSRA Risk Register, examining all steps taken by the LSRA executive to mitigate the risks. The FAR Committee also reviews up-to-date financial statements and information at each meeting. The LSRA Risk Register, budget and financial statements are also considered and evaluated at each Authority meeting.

TABLE 6: Meetings of Finance Audit and Risk Committee 2020

| Members | 21/02/20 | 03/04/20 | 29/09/20 | 27/11/20 |
|---------------------|----------|----------|----------|----------|
| Angela Black | ✓ | ✓ | ✓ | ✓ |
| Claire Byrne | ✗ | ✓ | ✓ | ✓ |
| Geraldine Clarke | ✓ | ✓ | ✓ | ✗ |
| Stephen Fitzpatrick | ✓ | ✓ | ✓ | ✓ |
| Peter O'Brien | ✓ | ✓ | ✓ | ✓ |

Governance Arrangements

The Legal Services Regulatory Authority is a statutorily independent body. Under section 13(3) of the Legal Services Regulation Act 2015, the Authority is required to be independent in the performance of its functions.

The LSRA's governance framework is guided by:

- the Legal Services Regulation Act 2015 (as amended);
- the DPER Code of Practice for the Governance of State Bodies (2016) which has been adopted by the Authority;
- the DPER Code of Practice for the Governance of State Bodies: Business and Financial Reporting Requirements (2016);
- Public Financial Procedures including the Public Spending Code.

The Legal Services Regulatory Authority has developed a suite of governance documents including:

- Code of Conduct for Authority members and staff;
- Terms of Reference for the Authority;
- Schedule of delegations and matters reserved to the Authority;
- Protected Disclosures Policy;
- Data Protection Policy;
- Risk Register and Risk Management Strategy;
- Financial Policies and Procedures;
- Policy and Procedure for the Disclosure of Interests;
- Strategic Plan 2019-2022;
- Corporate Governance Assurance Document Agreement with the Department of Justice;

- Duly Authorised Register of staff authorised to perform section 13(7) functions under the Act;
- Quality Service Charter;
- Quality Service Action Plan.

Where appropriate, these documents have been made available on the LSRA's website.

The Role of the Authority and the Chief Executive

The Authority has approved a terms of reference for the LSRA which sets out the respective roles of the Authority and of the Chief Executive as follows:

The Authority:

The Authority is responsible for

- i. Reviewing and guiding the strategic direction and major plans of action of the LSRA;
- ii. Ensuring compliance with all applicable statutory objectives;
- iii. Holding the CEO and senior management to account for the effective performance of their responsibilities;
- iv. Risk management policies and procedures;
- v. Annual budgets and business plans;
- vi. Setting performance objectives;
- vii. Monitoring implementation and performance;
- viii.Overseeing major capital expenditure and investment decisions.

The Chief Executive:

The Authority delegates operational responsibility for the day-to-day running of the LSRA to the Chief Executive Officer and the LSRA's senior management team.

The Chief Executive Officer attends Authority meetings at the invitation of the Authority chairperson and provides regular reports on all aspects of the operation of the LSRA as required by Authority members. The Chief Executive Officer also attends the FAR Committee meetings for the purpose of providing an update on risk and financial management.

The Chief Executive Officer's role and responsibilities are set out in the Act. Section 24(3) of the Act states that the Chief Executive Officer shall:

- i. implement the policies and decisions of the Authority,**
- ii. manage and control generally the Authority's staff, administration and business,**
- iii. be responsible to the Authority for the performance of his or her functions, and**
- iv. perform such other functions (if any) as may be required by the Authority or as may be authorised under this Act.**

Under section 13(7) of the Act, any function of the Authority may be performed through or by the Chief Executive or any member of its staff duly authorised in that behalf by the Authority.

The Chief Executive Officer ensures that the Authority is kept up to date and fully informed about strategic issues and challenges affecting the LSRA and the environment in which it operates.

Conflicts of Interest

The Legal Services Regulatory Authority has developed a "Policy and Procedure for the Disclosure of Interests". Under the policy, and the Codes of Conduct for Authority Members and staff, Authority members and the Chief Executive Officer register their interests in any other relevant undertakings with the Secretary of the Authority on appointment and on an annual basis.

Performance Evaluation

The Finance, Audit and Risk Committee undertook a self-assessment evaluation through the LSRA's accountants in 2020. The report was reviewed by the Committee at its September and November meetings. Actions arising will be followed up in 2021. The Authority will commence an external evaluation of its performance in 2021. The commencement of this process was delayed due to Covid-19 impacts on business.

Department of Justice Governance and Agencies Meetings

Over the course of 2020, the LSRA engaged extensively with officials from the Department of Justice. Two Governance Meetings were held in 2020 between the LSRA and the Civil Governance Unit of the Department of Justice, on 11 March and 8 October.

In addition, arising from the business impacts of the Covid-19 pandemic across Government services, the Department of Justice coordinated a Civil Justice Agencies group to provide and share updates across the justice family of agencies. The LSRA is a member of this group with meetings taking place online initially on a weekly basis and subsequently on a fortnightly basis. This allowed the agencies to provide business continuity and associated updates as well as allowing the Department to share core Government updates with the agencies.

Financial Reporting

All appropriate procedures for financial reporting were adhered to in 2020 by the Authority. An annual budget for 2020 was agreed at the first Authority meeting of the year.

At each meeting of the Authority, up-to-date management accounts were presented by the Chief Executive. Monthly management accounts were produced throughout the year by the accounting service providers to the Authority and to the Executive ensuring that senior management have access to relevant and timely financial and non-financial information. The management accounts were also provided to and scrutinised by the Finance, Audit and Risk (FAR) Committee.

An Annual Financial Statement of the Accounts of the LSRA for the period 1 January 2019 to 31 December 2019 was prepared and submitted to the Office of the Comptroller and Auditor General (OCAG) by the deadline of 31 March 2020. Audited accounts were approved by the OCAG on 29 December 2020 and subsequently submitted to the Minister for Justice along with the signed Letter of Representation, the Chairperson's Comprehensive Report to the Minister and a copy of the audit report to be laid before the Houses of the Oireachtas.

Anti-Money Laundering

In October 2019, pursuant to the commencement of section 214 of the Legal Services Regulation Act 2015, the Minister for Justice and Equality prescribed the Legal Services Regulatory Authority as the State Competent Authority in the case of a designated person who is a barrister who is not a member of the Law Library, for the purposes of Part 4 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010.

The LSRA is therefore the competent authority for barristers who are not members of the Law Library.

The LSRA maintains the Roll of Practising Barristers, a searchable online register of all barristers entitled to provide legal services in the State. In 2020, 668 people were recorded on the Roll as barristers who were not members of the Law Library. Of those, 229 were recorded as being in the full-time service of the State. It should also be noted that under section 45 of the 2015 Act, all barristers are prohibited from holding client monies.

As the competent authority, the LSRA is tasked with monitoring such legal service providers as set out above and who are described as "designated persons", and taking measures that are reasonably necessary for the purpose of securing compliance by such legal service providers with the requirements of Part 4 of the 2010 Act.

It is the responsibility of such legal service providers to interpret and to act in accordance with all relevant anti-money laundering legislation that applies to them. As the competent authority, the LSRA will provide guidance to relevant legal practitioners on developing and implementing the relevant policies and procedures necessary to ensure compliance with regulations regarding Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT).

Under section 65 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 the LSRA is required to include in its annual reports an account of its activities relating to Anti-Money Laundering. In 2020 the LSRA developed a series of guidance documents for barristers who are not members of the Law Library, which will be uploaded to its website in 2021.

The LSRA also contributed to the EU Commission's review of the Implementation of the 4th Anti-Money Laundering Directive. While the Law Society remains the competent authority for solicitors, the LSRA was required in 2020 to review and provide concurrence for the introduction of the Solicitors (Money Laundering and Terrorist Financing) Regulations 2020.

Tax Law

The Legal Services Regulatory Authority complied with its obligations under tax law in 2020.

Prompt Payment of Accounts Act 1997

It is the policy of the Legal Services Regulatory Authority to fully comply with the terms of the Prompt Payment of Accounts Act 1997. The LSRA has introduced procedures to ensure that all invoices are paid within the statutory time limit.

Whilst it is accepted that procedures designed to ensure compliance with the Act could only provide reasonable assurance and not absolute assurance against non-compliance, two invoices incurred late payment fees in 2020. These instances arose due to administrative oversight, particularly impacted by the remote working arrangements in place due to Covid-19 restrictions. This issue has since been rectified. Total late payment fees paid in 2020 was €139.83.

GDPR and Data Protection

The LSRA is registered as a Data Controller with the Office of the Data Protection Commissioner. The LSRA's Data Protection Policy is available on the website. In 2020, the LSRA received one Subject Access Request under the Data Protection Acts.

Transparency Actions

The Authority has adopted Transparency and Accountability as among its core values. The Authority is committed to transparency in relation to its work and decision-making. The minutes of all Authority meetings and the actions points arising are published on the LSRA website. The LSRA has also committed to publishing all of the statutory reports prepared by or on behalf of the Authority. Submissions made to the Authority as part of public consultations are also made available on the LSRA website.

The LSRA's website is updated regularly with information relating to the progress of the implementation of the Act. All key internal policy documentation can also be found on the site.

Freedom of Information Requests and General Queries

The LSRA is an FOI body under the Freedom of Information Act 2014. In 2020, the LSRA received a total of nine FOI requests under the Act. The requests were dealt with in compliance with the Act. Queries and requests for general information from the public, media, members of the legal professions and other stakeholders are acknowledged and responded to by the executive team. It is the objective of the LSRA to acknowledge all queries and requests within three days of receipt and to issue a substantive response, where possible, within 14 days.

Irish Language

The LSRA was included as a public body for the purposes of the Official Languages Act 2003 in 2020, under the Official Languages Act 2003 (Public Bodies) Regulations 2019 (SI 230 of 2020). In 2020, Irish language versions of reports and guidance documents were made available.

Protected Disclosures

The LSRA has introduced a Protected Disclosure Policy and Procedure. There were no Protected Disclosures made to the LSRA in 2020. A report reflecting this position has been published on the LSRA website.

Compliance with DPER Code

The LSRA adopted the Department of Public Expenditure and Reform Code of Practice for the Governance of State Bodies in 2017. A detailed gap analysis of the requirements of the DPER Code was presented to the Authority in November 2017 and through intervening period to end 2020, governance arrangements have been put in place to ensure compliance with the Code. By the end of 2020, the LSRA had fully complied with the DPER Code with the following exception:

- The LSRA has not yet developed a Post Resignation/Retirement Employment or Consultancy procedure as per paragraph 1.10 of the DPER Code. The procedure will be developed in 2021.

Organisational Developments

In line with our Strategic Plan 2019-2022, during 2020 we undertook further organisational development as part of our efforts to establish the LSRA as a fully functioning independent, effective regulatory authority, delivering a high level of quality service to identified and benchmarked standards.

Staff Resources

The LSRA’s workforce plan makes provision for 51 staff members to enable the LSRA to fulfil its statutory functions. Recruitment got underway in the early part of the year to build the LSRA’s staffing resources. Two external competitions were held in January for six clerical officer positions and the post of Head of Complaints and Resolution. More than 100 applicants applied for these vacancies. The onset of the Covid-19 pandemic in March meant that additional recruitment plans were put on hold for the remainder of the year.

At the end of 2020, the LSRA had 33 members of staff – up from 24 at the end of 2019. During the year, we had a total of 13 new starters and four departures, including from 2019 recruitment campaigns. The table below provides a breakdown of our 2020 staff complement, and vacancies, by public sector grade.

Attendance Management and Performance

All LSRA staff submit weekly timesheets to their managers. Monthly timesheets are then submitted to Human Resources. Timesheets record staff work in units of 15 minutes. The amount of staff time spent working on complaints is detailed, and this assists the LSRA in calculating the annual levy on the professions.

A Performance Management Development system was introduced in the LSRA in 2020. A Probation Management process (12 months) introduced in 2019 was rolled out for all new staff.

New Premises and Energy Efficiencies

In 2020 the LSRA moved to our new premises in a business park in Unit 1-3 Manor Street Business Park, Stoneybatter, Dublin 7. The premises are leased for ten years. A fit-out to upgrade the premises took place in anticipation of staff moving in on 1 April. In accordance with the Public Sector Energy Efficiency Strategy, the fit-out was aimed at improving energy efficiency. It included insulating the roof and the installation of LED lights and timers. The LSRA will take further steps to conserve energy over the next few years. The office is spread over two floors and there is sufficient space to accommodate new staff members.

All health and safety policies were updated to reflect the new premises and also to include the LSRA’s Covid-19 Response Plan. All staff attended a compulsory Covid-19 induction training course and a Health and Safety Course before they attended the new premises. At the same time, all eight members of the Senior Management Team and six additional staff volunteered to be Covid-19 Lead Representatives. During the year, staff attended short courses in First Aid, Manual Handling and Fire Safety.

Information Technology

The LSRA has a Service Level Agreement with the Department of Justice. In April 2020, the Department’s IT section assisted Corporate Services to arrange for all staff to have remote access to the LSRA internal systems to enable to work them to work securely from home. Sharepoint is our temporary Case Management System for complaints, but the LSRA is working closely with the Department to develop a long term solution.

Procurement Activities

Procurement conducted in 2020 was in line with EU law and Government circulars and guidelines. The Corporate Services Department is in regular contact with the Office of Government Procurement to avail of centralised managed services where available.

Senior Management Team

During 2020, the Senior Management met on a regular basis to review all major issues relevant to the efficient and effective operation of the Authority. One of the main responsibilities of the SMT is to monitor progress on achieving the targets set out in the Business Goals of each Department. Health and Safety in the context of the Covid-19 pandemic was a regular topic to ensure the safety of the staff.

Health and Safety 2020 including Covid-19

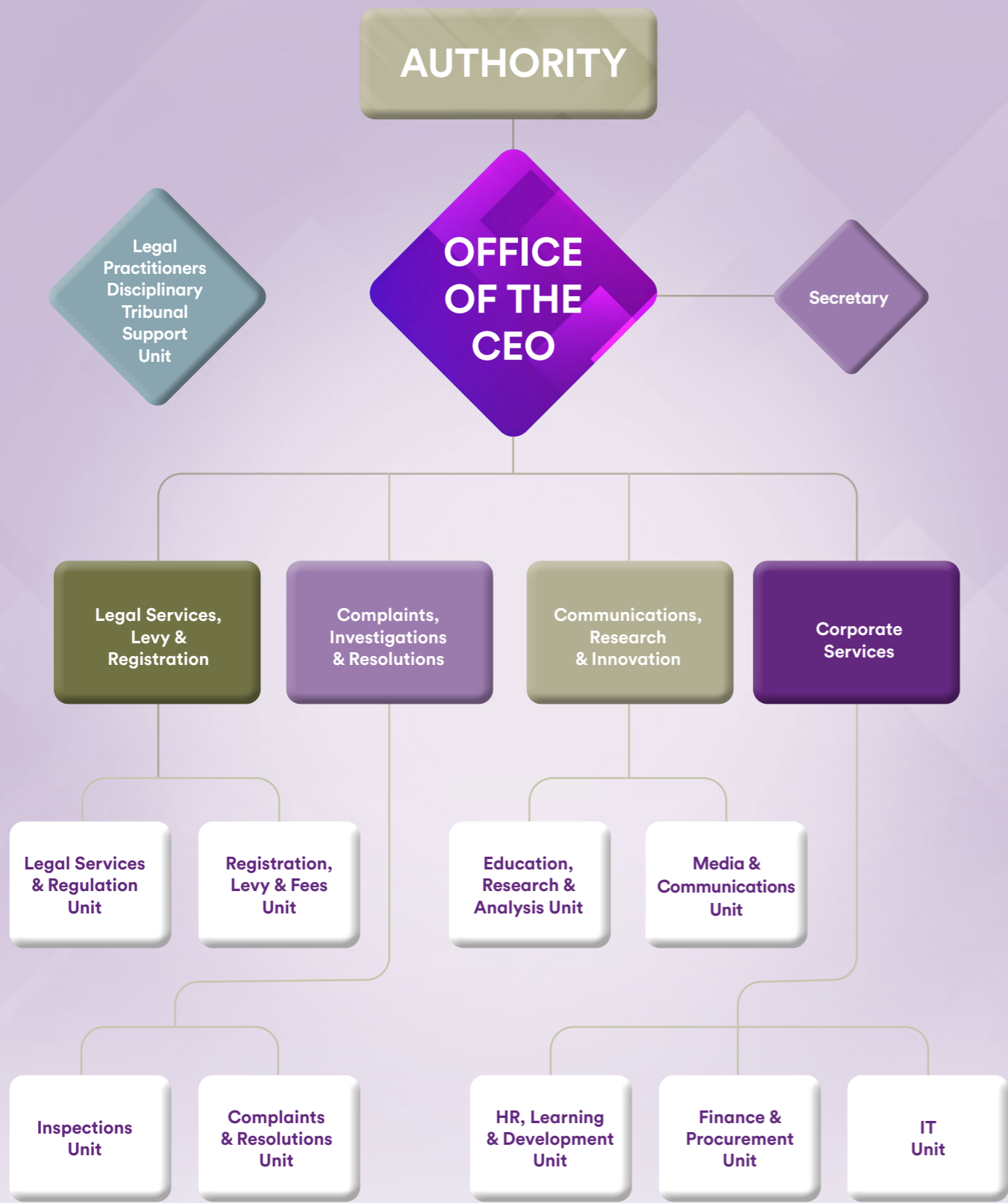
A planned staff move to the new premises in April was delayed due to the onset of the Covid-19 pandemic and the Government’s work from home advice. The office officially opened on 31 August for a small number of staff. However, the majority of LSRA staff were working remotely up to the end of the year and beyond.

The office layout was adjusted to ensure the safety of the skeleton staff who have to attend on occasion. During the year under review, the LSRA complied with the Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work Act (General Applications) Regulations 2007. We adhered to health and safety policies and procedures and we provided appropriate training, safety awareness programmes and personal protective equipment.

| TABLE 7: LSRA Staff 2020 | | | |
|-----------------------------|-----------------|------------------|---------|
| Members | Total Provision | 2020 Complement* | Vacancy |
| Assistant Secretary | 1 | 1 | 0 |
| Principal Officer | 2 | 2 | 0 |
| Assistant Principal Officer | 6 | 6.4 | 0 |
| Advisory Counsel Grade 3 | 1 | 1 | 0 |
| State Solicitor | 12 | 6.6 | 5.4 |
| Higher Executive Officer | 11 | 3 | 8 |
| Officer Manager | 1 | 1 | 0 |
| Executive Officer | 3 | 0 | 3 |
| Clerical Officer | 14 | 13 | 1 |
| TOTAL | 51 | 34* | 17.4 |

* Staff numbers reflect job sharing arrangements

Organisational Structure



Senior Management Team



Dr Brian Doherty
Chief Executive Officer

Brian Doherty is the Chief Executive Officer of the Legal Service Regulatory Authority. He was called to the Bar in 1996 and initially practised in Belfast. He joined the Office of the Police Ombudsman for Northern Ireland when it was set up in 2000 as one of the first civilian investigators, working on allegations of misconduct against the then RUC, later the Police Service of Northern Ireland. In 2007 he moved to the Garda Síochána Ombudsman Commission as a senior investigating officer, later progressing to acting Deputy Director of Investigations. He returned to the Northern Ireland Police Ombudsman in 2014 to run the Current Investigations Directorate. Brian took up post as the CEO of the LSRA in September 2017.



Ultan Ryan
Secretary

Ultan Ryan joined the Civil Service in 1985 and worked for the Central Statistics Office before joining the Department of Social Welfare as a systems analyst in 1992. Ultan moved to the Department of Justice and Equality in 2000 where he worked on Cross-Border Justice projects including as Secretary to the Remembrance Commission. Ultan worked as project manager and operations manager with the Reception and Integration Agency before assignment to the LSRA in January 2017.

Legal Services, Levy and Registration Department



Alison McIntyre

Head of Legal Services, Levy and Registration Department

Alison Emily McIntyre was appointed Head of Legal Services, Levy and Registration Department in October 2019 and took up her role in March 2020. Prior to this Alison was an Assistant Commissioner with the Irish Data Protection Commission where she worked as a legal adviser and as their Data Protection Officer. Alison has experience in private practice and in public sector organisations.



Padraig Langan

Head of Registration, Levy and Fees Unit

Padraig Langan was appointed the Head of the Registration, Levy and Fees Unit in July 2018. Previous to this, Padraig worked in the Department of Agriculture, Food and the Marine in the Press Office and, prior to that, the Meat and Milk Policy Division where he gained experience working on policy issues. Padraig has more than 20 years of experience in the public sector.

Complaints, Investigations and Resolutions Department



Tony Watson

Head of Complaints, Investigations and Resolutions Department

Tony Watson joined the LSRA in September 2019 and is the Head of Complaints, Investigations and Resolutions. He qualified as a solicitor in England and worked as a litigator in London. He moved to Ireland in 2005 and joined the Complaints Section of the Law Society, where he was Deputy Head of Complaints prior to joining the LSRA. Tony has extensive experience in the regulation of lawyers, and the investigation and resolution of complaints in particular.



Eleanor Carmody

Head of Complaints and Resolutions Unit

Eleanor joined the LSRA in September 2019 as a Complaints Resolution Officer, and was appointed Head of the Complaints and Resolutions Unit in February 2020. Eleanor qualified as a solicitor in 1999 and worked mainly as a conveyancer in a general practice in Fermoy, Co. Cork. She joined the Law Society in 2008 and worked as a solicitor in the Complaints and Client Relations section investigating complaints against solicitors.

Communications, Research and Innovation Department



Nuala Haughey

Head of Communications, Research and Innovation Department

Nuala Haughey was appointed Head of Communications, Research and Innovation in November 2019. Nuala's background is in journalism and policy analysis. She is a former award winning Social Affairs Correspondent with The Irish Times and has extensive experience as a communications consultant with the European Commission. Nuala has also worked as a political communications director and a policy analyst and researcher.

Corporate Services Department



Deirdre Fleming

Head of Corporate Services Department

Deirdre Fleming was appointed Head of Corporate Services in October 2019. Deirdre has significant experience in corporate services and finance within the public sector including in the Houses of Oireachtas, Law Reform Commission and recently the Office of the Revenue Commissioners.

Legal Practitioners Disciplinary Tribunal Support Unit



Kay Lynch

Registrar of the Legal Practitioners Disciplinary Tribunal

Kay Lynch was appointed Registrar of the Legal Practitioners Disciplinary Tribunal in September 2019. Prior to her appointment, Kay worked as an executive with the Solicitors Disciplinary Tribunal since 2014. She is a qualified solicitor and holds diplomas in Professional Regulation (University College Dublin) and Judicial Skills and Decision-Making (Law Society of Ireland).

Appendix 1: Key Activities in 2020

| Date | Key Activity |
|-----------------|--|
| 23 January | First Authority meeting of 2020 |
| 27 - 28 January | Meetings with EU Commission officials in Brussels on Advertising Regulations |
| 5 February | Update meeting with Law Society |
| 5 February | CEO meeting with Bar of Ireland on complaints |
| 6 February | CEO Waterford Bar Association CPD talk |
| 7 February | CEO Tallaght Bar Association CPD talk |
| 10 February | CEO Bar of Ireland CPD talk |
| 13 February | Public consultation under section 34 of the Act prior to report to the Minister for Justice on unification of the legal professions (closed on 9 June) |
| 14 February | CEO meeting with CEO of Bar of Ireland |
| 21 February | First Finance Audit and Risk (FAR) Committee meeting of 2020 |
| 4 March | Civil Justice Agency Forum (at Department of Justice) |
| 9 March | Visitors from the Victorian Bar of Australia |
| 11 March | First Review Committee meeting |
| 11 March | Governance meeting with Department of Justice |
| 19 March | First dedicated Civil Justice Agency meeting on Covid-19 response and business continuity. ⁶ |
| 27 March | LSRA moved to new offices in Stoneybatter, Dublin 7 |
| 2 April | Second Authority meeting |
| 2 April | The Authority established the Advisory Committee on the grant of Patents of Precedence under section 172(1) of the Act |
| 3 April | Second FAR Committee meeting |
| 7 April | First Complaints Report under section 73 of the Act published |
| 7 April | Meeting with National Competitiveness Council |

⁶ This forum continued on a weekly and subsequently a fortnightly basis for the rest of 2020.

| Date | Key Activity |
|--------------------|---|
| 15 April | Update meeting with Law Society |
| 28 April | Meeting with the Judicial Council |
| 12 June | Update meeting with Law Society |
| 23 June | First meeting of the Advisory Committee on the grant of Patents of Precedence |
| 25 June | Third Authority meeting |
| 30 June | Publication of first Annual Report on Admission Policies of Legal Professions |
| 16 July | Update meeting with Law Society |
| 28 July | Meeting with Judicial Council |
| 16 September | Department of Justice Roundtable |
| 24 September | Fourth Authority meeting |
| 29 September | Third FAR Committee meeting |
| 30 September | Authority reports on Education and Training of Legal Practitioners and the question of Unification of the Professions under section 34 of the Act sent to Minister for Justice, with recommendations. |
| 5 October | Second Complaints Report under section 73 of the Act published |
| 7 October | Chairperson and CEO meeting with Minister for Justice and Minister of State |
| 8 October | Second governance meeting Department of Justice |
| 12,13 & 19 October | Induction and Training for Complaints Committee and Review Committee members |
| 15 October | Second phase consultation on draft Advertising Regulations opened (closed 16 November) |
| 20 October | Information and Technology Service Level Agreement meeting with Department of Justice |
| 22 October | CEO presentation at Family Law Association Seminar |
| 26 - 31 October | CEO and Head of Research Department attended online International Conference of Legal Regulators |

| Date | Key Activity |
|-------------|---|
| 3 November | Head of Complaints Department gave online talk on Ethics and Conduct to trainee solicitors at Law Society |
| 4 November | Update meeting with Law Society |
| 5 November | First hearing of Complaints Committee |
| 6 November | CEO delivered presentation to Stephenson Burns Probate Seminar |
| 10 November | Reappointment of four serving Authority members and appointment of one new member approved by Dáil and Seanad |
| 11 November | CEO attended virtual Durham Legal Education and Training Conference. |
| 19 November | Publication of reports on Unification and Legal Practitioner Education and Training under section 34 of the Act |
| 19 November | Fifth Authority meeting |
| 23 November | Legal Practitioners Disciplinary Tribunal established |
| 26 November | CEO delivered a speech at launch of the Smith & Williamson 9th Annual Survey of Irish Law Firms |
| 27 November | Fourth FAR Committee meeting |
| 8 December | Induction and Training for Complaints Committee and Review Committee members |
| 8 December | Update meeting with Law Society |
| 18 December | Legal Services Regulation Act 2015 (Advertising) Regulations 2020 (S.I. No. 644 of 2020) came into operation |



An tÚdarás Rialála
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Regulatory Authority

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