



LSRA publishes complaints report highlighting 33% increase in complaints about legal practitioners

Regulator highlights concerns about online advertising by solicitors

7 April 2021

The LSRA today publishes its first complaints report for 2021 which shows it received 805 complaints in a six month period, a 33% increase on the previous reporting period.

The report, ***Independent Complaints Handling***, provides details of the number and nature of complaints received and investigated during the reporting period of 7 September 2020 to 26 March 2021. The report also provides details for the first time of the LSRA's handling of 44 complaints and concerns about online advertising by solicitors since December 2020.

Complaints received

- The LSRA's Complaints and Resolutions Unit received a total of 805 complaints in the reporting period, up 33% from the previous six month reporting period (when complaints totalled 605). Multiple complaints may be brought against an individual legal practitioner.
- A total of 783 complaints related to solicitors and 22 related to barristers, reflecting the higher number of solicitors and their greater level of contact with consumers.
- A total of 462 complaints (57%) alleged misconduct, with 291 (36%) complaints about alleged inadequate legal services and a further 52 (7%) relating to alleged excessive costs (overcharging).
- Complaints and Resolutions staff received a total of 2,352 phone calls and e-mails requesting information and/or complaints forms, a 46% increase on the previous reporting period of 7 March to 6 September 2020.
- The main areas of legal services that attracted complaints were wills and probate, litigation, family law and conveyancing.

Complaints outcomes: complaints about services and costs

- A total of 294 complaints were closed during the reporting period, including 104 complaints determined as inadmissible.
- A total of 91 complaints were resolved with the assistance of the LSRA.
- The LSRA made determinations in six complaints. Of these, five were complaints about inadequate legal services and one related to excessive costs. In these six cases, which related to legal services provided by solicitors, the LSRA considered that the legal services were inadequate or the costs excessive and upheld the complaints.



- Directions were issued by the LSRA to the legal practitioners in five of the cases. In one case the LSRA determined that the legal services that had been provided were inadequate and directed that the legal practitioner pay compensation to the complainant of just under €1,000. Both the complainant and the legal practitioner accepted this direction.
- In two of the determined cases, a review has been requested by one of the parties to the complaint. These requests for review will now be considered by the Review Committee. The other three cases determined by the LSRA are within the period of time in which a review can be requested by the legal practitioner or the complainant.

Complaints outcomes: misconduct complaints

- This is the first LSRA complaints report to include details of determinations of the Complaints Committee, which is independent from the LSRA in its decision-making.
- A total of 31 complaints about solicitors were investigated by the independent Complaints Committee which was set up in November 2020 to hear misconduct complaints. Of these, the Complaints Committee upheld two complaints, while five were not upheld and one was withdrawn.
- Of the two misconduct complaints upheld by the Complaints Committee, one related to communications with the complainant, who was the joint owner of a property that had been sold. The Complaints Committee upheld the complaint but no directions or measures were imposed by the Committee in the case.
- The second case related to an allegation that a legal practitioner had misled his client as to the work undertaken. The solicitor was directed to make a payment to the complainant of €500 as compensation for financial or other loss suffered by the complainant.
- A total of six cases were referred by the Complaints Committee to the independent Legal Practitioners Disciplinary Tribunal (LPDT) for further investigation. A total of 16 cases currently remain under investigation by the Complaints Committee.

Complaints and concerns about advertising

Under the Advertising Regulations 2020, the LSRA may carry out investigations into particular advertisements either on foot of a complaint received or on its own initiative. The Regulations came into force on 18 December 2020. In the reporting period:

- The LSRA received a total of 44 complaints and notifications of concerns relating to the online advertising of legal services by solicitors.
- The LSRA wrote to three legal practitioners informing them of possible breaches of the Advertising Regulations. In all three instances, the legal practitioners resolved the issue by withdrawing or amending the advertisements.



On publishing today's report, **the LSRA's Chief Executive Dr Brian Doherty** said:

"The LSRA's complaints and resolutions staff managed a significantly higher volume of both inquiries and complaints, with a third more complaints in comparison to the previous reporting period. The increase in the number of complaints handled and concluded is particularly notable given the challenges faced by staff, complainants and legal practitioners arising from the Covid-19 pandemic.

"This report contains details for the first time of complaints that have been determined to be admissible and where the LSRA has attempted to informally resolve or to mediate the issue of complaint between the legal practitioner and the complainant. It also contains details for the first time of complaints and concerns about the advertising of legal services received since the LSRA took over responsibility of this important area in December 2020. I strongly encourage all legal practitioners to review their online and other advertising to ensure that these are in line with the new Advertising Regulations 2020."

Dr Doherty continued:

"I am still heartened by the engagement of both legal practitioners and complainants in efforts to resolve complaints at an early stage. I am concerned, however, by the reluctance of some legal practitioners to address concerns and complaints that are raised with them in a productive and proactive manner. In our experience to date, early and open engagement with the complaints process will always lead to a quicker and more effective resolution of the matter at hand."

Today's report is available to download here: [Independent Complaints Handling: Complaints about solicitors and barristers, Report 1 - 2021](#)

ENDS

Notes to Editors

The Legal Services Regulatory Authority is an independent statutory body set up under the Legal Services Regulation Act 2015 with a range of functions. These include regulating the provision of legal services by legal practitioners (barristers and solicitors) and ensuring the maintenance and improvement of standards in the provision of legal services.

The LSRA began receiving and investigating complaints about legal services by legal practitioners on 7 October 2019, and is required by law to report on its complaints function every six months. This is the LSRA's third complaints report.

The LSRA assumed responsibility for regulating advertising by legal practitioners on 18 December 2020 with the Legal Services Regulation Act (Advertising) Regulations 2020.

For further information please contact the LSRA's Head of Communications Nuala Haughey on Tel: 087-2867510 or nmhaughey@lsra.ie