



An tÚdarás Rialála
Seirbhísí Dlí
Legal Services
Regulatory Authority

Annual Report 2021



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.

Contents

1. Introduction

| | |
|---|----|
| Who We Are, What We Do, Our Objectives | 5 |
| Foreword from the Chairperson | 8 |
| Introduction by the Chief Executive Officer | 10 |
| Strategic Plan 2019-2022 | 13 |
| 2021 at a Glance | 14 |

2. How We Regulate

| | |
|--|----|
| Complaints, Investigations and Resolutions | 16 |
| Legal Services, Levy and Registration | 27 |

3. How We Engage And Innovate

| | |
|--------------------------------------|----|
| Research Reports and Recommendations | 32 |
| Communications and Engagement | 35 |

4. Governance And Management

| | |
|-----------------------------|----|
| Authority Members | 38 |
| Authority's Activities | 44 |
| Governance Arrangements | 47 |
| Organisational Developments | 53 |
| Senior Management Team | 57 |

Appendices

| | |
|------------------------------------|----|
| Appendix 1: Key Activities in 2021 | 60 |
|------------------------------------|----|

Our Values

The work of the LSRA as a public service body is guided by core values:



Annual Report for year ended 31 December 2021

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 2021 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 2021 to 31 December 2021.

Under section 21(1) of the Act, this Annual Report must be made no later than 30 April each year. This is the LSRA's sixth 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 under Part 2 of the Legal Services Regulation Act 2015 (the Act).

The Authority is comprised of 11 members appointed in accordance with section 9 of the Act. Authority members are appointed by the Government following nomination by the following ten 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 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 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 section 13 of the Act. 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 Authority 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. 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.
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

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 from the Chairperson

On behalf of the Authority, I am pleased to introduce this Annual Report for the Legal Services Regulatory Authority for 2021. This is the Authority's sixth annual report, and it looks back on yet another demanding year as the LSRA, in common with the rest of our society, continued to deal with unprecedented challenges brought about by the Covid-19 pandemic. This report charts our progress towards the actions and goals in our Strategic Plan 2019-2022. I am pleased to note that by the end of the year the LSRA had substantially delivered on the commitments made in this plan.

While adhering strictly to the necessary public health restrictions on work and travel during the year, the Authority continued to discharge its statutory duties and to progress key priorities. In all its efforts, the Authority is guided by its values and its statutory objectives.

Authority's oversight role

The Authority met on five occasions during the year, bringing through a significant body of work to continue to execute and build the LSRA's functions and also to reflect on implementation and areas for improved service delivery for consumers and legal practitioners. Due to the necessary Covid-19 restrictions, all five of these meetings were held online.

The role of the Authority in overseeing the efficiency and effectiveness of the LSRA was a priority during the year. This included the approval of the budget and Business Plan for 2021. The LSRA is largely funded through a levy on the legal professions. During the year, the Authority reviewed proposed amendments to the 2015 Act to adjust the existing levy model. These are due to be enacted in forthcoming legislation. The changes will provide clarity around aspects of the levy model and will allow the LSRA to better budget and plan for future financial challenges.

Dr Don Thornhill

An important function of the Authority is its oversight role in ensuring the effective operation of the LSRA's independent handling of complaints about solicitors and barristers. To that end the Authority received regular and detailed updates from the executive team on caseloads and throughput, the impact of the Covid-19 restrictions and measures put in place to ensure both efficiency and compliance with our statutory duties.

Complaints milestone

With the two complaints committees established in 2020 now fully operational, and the Legal Practitioners Disciplinary Tribunal (LPDT) also established and due to begin hearings in 2022, the independent complaints handling architecture under the Act is almost fully in place.

As the successor body to the Solicitors Disciplinary Tribunal and the Barristers Professional Conduct Tribunal, the LPDT is entirely independent from the LSRA in the exercise of its functions under the Act. It will consider complaints of misconduct referred to it by LSRA or the Law Society of Ireland.

While the LPDT is a separate entity to the LSRA with its own premises, the LSRA provides it with administrative and technical support. During the year, the LSRA and LPDT worked closely on a Service Level Agreement between the two bodies to ensure that appropriate administrative and governance structures and supports are in place.

After two years of intense start-up activities followed by the myriad challenges brought about by the pandemic, the almost full realisation of the Act's complaints infrastructure is a significant milestone to be acknowledged.

Authority membership changes

During 2021 two Authority members departed and two new nominees joined. I wish to warmly thank outgoing Authority members Deirdre McHugh and Stephen Fitzpatrick for their hard work, valued contributions and wise counsel during their tenures. I in turn welcome Deirdre Malone as the Authority nominee of the Irish Human Rights and Equality Commission and Shane Galligan as the nominee of the Institute of Legal Costs Accountants, both of whom joined the Authority during 2021. I also welcome Siona Ryan who joined the Authority as the nominee of the Competition and Consumer Protection Authority in February 2022. Overall, it is with real pleasure and gratitude that I thank all of my fellow Authority members for their endeavours during another challenging year.

Looking ahead

Looking forward, the year 2022 will be another important one for the Authority. We will publish research on the economic and other barriers faced by trainee and early career solicitors and barristers. This will include recommendations for reform of the present system, as requested by the Minister for Justice. We will also publish a report on the creation of a new profession of conveyancer, also on foot of a request from the Minister under the Act.

Later in 2022, the Authority will approve and publish its next three year strategic plan covering the years 2022-2025. I look forward to collaboration with Authority members and the LSRA's dedicated staff and Chief Executive Officer, Dr Brian Doherty, as we set equally ambitious yet realistic performance targets for the coming years.

Dr Don Thornhill
Chairperson

Introduction by the Chief Executive Officer

The year under review in this report saw the LSRA continue to grow and consolidate its regulatory role and functions against the constraints of the ongoing Covid-19 pandemic and associated restrictions. LSRA staff ensured we came through the trials of the past year with significant progress made towards our strategic goals.

Looking after the welfare of staff while continuing to build the capacity of the organisation remained a priority during the year. 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.

Recruitment ongoing to build capacity

Recruitment continued apace to build capacity in all functions but particularly in complaints.

At year's end the LSRA had grown to 46 staff, an increase of 13 on 2020. Many of the new staff were recruited, inducted and trained remotely. For all staff, training was delivered in a range of areas including Data Protection, Disability Awareness and Freedom of Information.

Most staff continued to work remotely during the year and further supports were introduced to allow them to work safely and securely from home while ensuring that we continued to deliver on our core services.

High complaints closure rate

The year under review was the LSRA's second full year operating as the independent complaints handling body for complaints about solicitors and barristers. As this report shows, our complaints staff handled an increased number of both queries and complaints during this time. The Complaints, Investigations and Resolutions Department received a total of 1,599 complaints in the year, 12% more than in 2020.

I am pleased to report that there was also a very significant increase during the year in the total number of complaints closed, at 1,343 complaints. Complaints are closed for several reasons; when they have been successfully resolved between the parties with the assistance of the LSRA, determined by the LSRA, or by either of the two committees established under the Act. Complaints are also closed early in the complaints handling process if they are found to be inadmissible.

The high complaints closure rate reported for the year is a direct result of the sustained efforts of staff to improve efficiencies and refine complaints handling processes while also maintaining the highest standards of services to consumers and legal practitioners. The fact that this was achieved within just two years of the LSRA becoming responsible for complaints handling, and against the challenging backdrop of ongoing Covid-19 restrictions, is a testament to the resilience and dedication of the complaints team.

The year also saw an increased number of complaints dealt with by the two separate committees established under the Act in 2020, the Review Committee and the Complaints Committee. The Complaints Committee dealt with a total of 75 misconduct complaints and the Review Committee reviewed a total of nine LSRA determinations in complaints about legal services standards and costs.

Steady growth in LLPs

A steady number of partnerships of solicitors applied to the LSRA during the year for authorisation to operate as Limited Liability Partnerships or LLPs. The LSRA introduced the regulatory framework for authorising partnerships of solicitors to operate as LLPs in November 2019. The number of LLPs authorised since then stood at 365 at the end of 2021. 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 LLP operating model. The LSRA has worked with authorised LLPs throughout the year to ensure their compliance with their statutory responsibilities.

LSRA assistance to SC applications body

The LSRA continued to provide administrative assistance to the Advisory Committee on the Grant of Patents of Precedence which was established in April 2020. Once a year, the LSRA, on behalf of the independent Advisory Committee, announces and facilitates the receipt of applications from solicitors and barristers who wish to 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.



Dr Brian J. Doherty

Research, outreach and engagement

On the communications front, our online engagement with both external and internal stakeholders continued apace, albeit with all activities taking place online. I was pleased to be able to speak about the work of the LSRA at several online events including the International Conference of Legal Regulators in October and the launch webinar for the tenth annual Smith & Williamson survey of legal firms in November.

The complaints information for consumers on our website was enhanced and we established an LSRA account on the LinkedIn social network in order to increase our engagement with legal practitioners and other legal services stakeholders. Among the many efforts made to maintain connections between staff and across departments, we held a Step Challenge for staff which led to intense healthy competition and team work.

The year also saw the LSRA embark on evidence gathering for two separate reports requested by the Minister for Justice. As part of a requested report into the “economic and other barriers” facing young qualified legal professionals, the LSRA undertook its first comprehensive survey of trainee and early career solicitors and barristers, as well as law undergraduates. As part of this important exercise, the LSRA received invaluable input from aspiring and junior solicitors and barristers as well as academic experts who were invited to be part of two external reference groups. I had the opportunity to engage with members of these two groups and was impressed by their expertise and enthusiasm and also their strong desire to play a part in broadening and diversifying the pathways into the professions and early career challenges. I am grateful too for the kind assistance of the Law Society, the Dublin Solicitors Bar Association, the Bar of Ireland, the King’s Inns, regional bar

associations, solicitor firms’ partners, and many individual solicitors and barristers who assisted us in conducting the surveys and allied research. I also thank those surveyed for taking the time to share their experiences and aspirations for change with the LSRA, as well as those individuals and organisations who made written submissions to this important report.

For the second report requested by the Minister, into the creation of a new profession of conveyancer, the LSRA undertook a detailed procurement exercise through the Office of Government Procurement.

Acknowledgements to stakeholders and staff

As in previous years, I am grateful to the staff and management of the Law Society, the Bar of Ireland and the King’s Inns for their continued kind assistance in our endeavours, particularly in a year when their members faced ongoing professional and personal challenges and disruption caused by the pandemic. The LSRA guards its independence while acknowledging that effective regulation cannot be achieved without ongoing engagement with the professional bodies and other stakeholders including those who made written to submissions to our various consultations.

As an organisation we know we will be dealing with the ripples of this pandemic for some time to come. We will respond in the same way we always do – with hard work, flexibility and enthusiasm in pursuit of our statutory duties, objectives and values. For past and future efforts, the hardworking staff of the LSRA have 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 2021.

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

2021 AT A GLANCE

ALL COMPLAINTS

3,356 PHONE CALLS AND EMAILS REQUESTING INFORMATION AND/OR COMPLAINT FORMS



1,599
COMPLAINTS RECEIVED



1,560
RELATING TO SOLICITORS & **39** BARRISTERS

1,343
COMPLAINTS CLOSED



398
RESOLVED

172
WITHDRAWN

615
INADMISSIBLE

COMPLAINTS COMMITTEES

10 LAY MEMBERS AND **5** LAW SOCIETY NOMINEES APPOINTED TO COMPLAINTS COMMITTEES



LLPS

106
LIMITED LIABILITY PARTNERSHIPS AUTHORISED

PRACTISING BARRISTERS ROLL

2,933 BARRISTERS ON ROLL

UP **110** FROM 2020



2,180 LAW LIBRARY BARRISTERS

753 NON-LAW LIBRARY BARRISTERS

OUTREACH & ENGAGEMENT



36,322 WEBSITE USERS



NEW LINKEDIN ACCOUNT @LSRA



465 TWITTER FOLLOWERS

UP **310%** ON 2020

RESEARCH

3 STATUTORY REPORTS

3 STATUTORY CONSULTATIONS



FIRST COMPREHENSIVE SURVEY OF JUNIOR SOLICITORS & BARRISTERS



AUTHORITY

2 NEW AUTHORITY MEMBERS



2. How We Regulate

Complaints, Investigations and Resolutions

This is the third 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 Act).

The year saw the continuation of Covid-19 related workplace restrictions which were first introduced in 2020, and which led to adjustments to how complaints are handled.

The number of complaints received in the year increased by 12% on the previous year. The total number of staff in the Complaints Resolutions and Investigations Department stood at 28 at the end of 2021, an increase of nine on the previous year. The new staff were all recruited, inducted and trained remotely. There are further recruitment campaigns scheduled for the first half of 2022.

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 in this report for 2021 show the number of complaints under each of the three types and the range of categories.

“I would like to thank you for your assistance in this matter. I do not believe I would have received a response in this matter without reaching out to your service.”

Complaints Reporting

The LSRA is required under section 73 of the Act to report on the performance of its complaints function every six months. In 2021, two complaints reports were published:

- **Report 1 - 2021**
Published 7 April, covering the period 7 September 2020 to 26 March 2021
- **Report 2 - 2021**
Published 4 October, covering the period 27 March to 3 September 2021

As those reports deal exclusively with complaints, they provide a more detailed analysis of the statistics than are provided here. All complaints reports are available on the LSRA website.

Receiving and Investigating Complaints

The Act and associated Regulations set out detailed statutory 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 meets the criteria for a complaint. 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.

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 Information 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.

Despite the ongoing Covid-19 related lockdowns and restrictions, more complainants and practitioners engaged with the Informal Resolution process in 2021 than had done so in the previous year. The LSRA made a total of 135 offers of Informal Resolution. In 96 complaints either the practitioner, the complainant, or both, chose not to engage in the process, which is a matter of concern. In the other 39 complaints, the parties chose to engage in Informal Resolution. Of these complaints, 21 were resolved by the parties with the assistance of the LSRA's trained mediators, with 20 complaints closed. One complaint was not closed because it also had to be referred to the Complaints Committee, where it was subsequently closed. The remaining 18 complaints were not resolved, so they went on to be determined by the LSRA.

“ I would like to thank in particular [name of staff member] for taking our call the other day, she was most helpful in explaining the process to my father and I. She demonstrated great kindness and patience. ”

Complaints Committee and Review Committee

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 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 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 34 sittings of Divisional Committees of the Complaints Committee in 2021.

The Review Committee also has 27 members who are nominated and appointed in the same way as the Complaints Committee, and it sits in groups of three. The Review Committee reviews determinations made by the LSRA on complaints that relate to inadequate legal services or charging excessive costs. There were three sittings of the Review Committee in 2021.

There were two induction and training days held during the year for the 54 committee members. Training was provided via online platforms by an experienced external trainer, with the assistance of LSRA staff.

Complaints Received in 2021

The complaints department received a total of 3,356 phone calls and e-mails in the year requesting information and/or complaint forms.

A total of 2,019 query files were opened by complaints staff in 2021. Following an assessment of these files, 1,599 were subsequently classified as complaints and were then subject to the statutory pre-admissibility assessment process. The remaining 420 query files were dealt with as queries with the complaints department providing whatever information or assistance it could. Even though they are not classified as complaints, addressing these queries involve substantial work by the LSRA staff.

As in previous years, far more complaints were received about solicitors than barristers in 2021, reflecting their higher numbers and greater level of contact with consumers. Of the 1,599 complaints received, 1,560 related to solicitors while 39 related to barristers. Multiple complaints may be made about an individual legal practitioner. Figure 1 on page 22 shows the breakdown of complaints received by county, based on the office locations of the legal practitioners.

The largest category of complaints, at 1,090 (68%), related to alleged misconduct. A total of 431 (27%) were from clients relating to alleged inadequate standards of legal services, and a further 78 (5%) were from clients who alleged they had been charged excessive costs.

Certain trends that were identified early on in our complaints handling operations continued to be reflected in 2021. Although the number of complaints received continues to rise, the breakdown in the types of complaint received shows a consistent trend. Complaints relating to alleged misconduct continue to increase (up by 33% on the previous year), those relating to alleged inadequate standards of legal services and excessive costs continue to fall (down by 13% and 27% respectively).

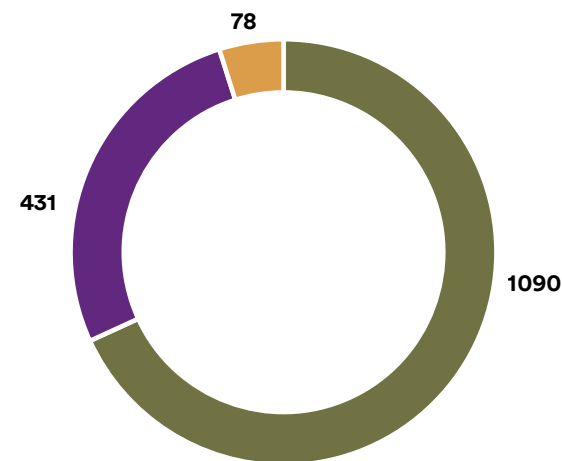
The most noticeable trend in misconduct complaints during the year under review was the sharp increase in the number of complaints relating to a failure to comply with an undertaking given to a colleague or financial institution. The LSRA has stressed the importance of ensuring that all undertakings are complied with in a timely fashion but this category continues to grow. The LSRA received 81 complaints of this sort in 2020 which reflected 10% of the total misconduct complaints received. In 2021 the number increased to 352 complaints which constituted 32% of all misconduct complaints during the year.

As in previous years, failures to reply to correspondence and poor communication remained very much at the heart of the majority of the complaints that were received in all categories.

“ Any monies owed have been paid and the matter is resolved, I would like to thank you very much for your help in the matter as I am sure we would still be waiting if it wasn't for your intervention. ”

All Complaints

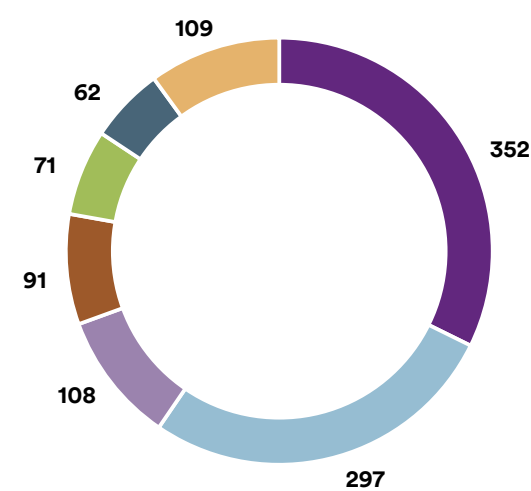
The largest category of complaints at 1,090 (68%) related to alleged misconduct. A total of 431 complaints (27%) were from clients in relation to alleged inadequate standards and a further 78 (5%) were from clients who alleged they had been charged excessive costs.



| | | |
|---------------------|--------------|-------|
| Misconduct | 1,090 | (68%) |
| Inadequate Services | 431 | (27%) |
| Excessive Costs | 78 | (5%) |
| TOTAL | 1,599 | |

Misconduct Complaints

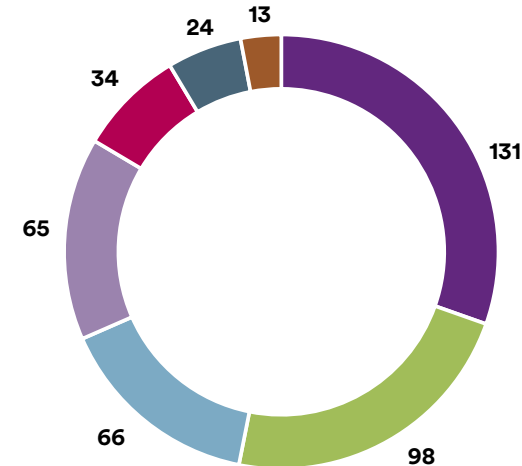
Of the 1,090 complaints of alleged misconduct, 352 (32%) involved a failure to comply with an undertaking given to a colleague or financial institution and 297 (27%) related to conduct likely to bring the profession into disrepute. A further 108 (10%) related to a failure to handover a file or other deeds and documents, 91 related to a failure to communicate, 71 involved alleged fraud or dishonesty and 62 related to an alleged failure to account for clients' money.



| | | |
|------------------------------------|--------------|---------|
| Undertaking | 352 | (32.3%) |
| Bringing profession into disrepute | 297 | (27.2%) |
| Failure to hand over | 108 | (9.9%) |
| Failure to communicate | 91 | (8.3%) |
| Fraud or dishonesty | 71 | (6.5%) |
| Failure to account | 62 | (5.7%) |
| Other | 109 | (10.0%) |
| TOTAL | 1,090 | |

Legal Services of Inadequate Standard

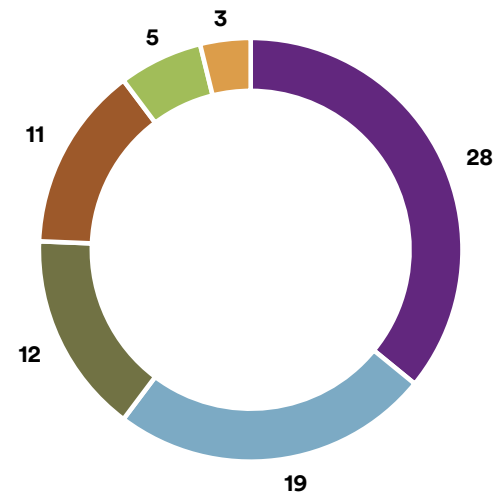
A total of 431 complaints were received alleging that the legal services provided were of an inadequate standard. Of these 131 complaints (30%) related to litigation, 98 (22%) related to conveyancing, with 66 related to family law and 65 to the administration of estates.



| | | |
|--------------|------------|---------|
| Litigation | 131 | (30.4%) |
| Conveyancing | 98 | (22.7%) |
| Family | 66 | (15.3%) |
| Probate | 65 | (15.1%) |
| Other | 34 | (7.9%) |
| Crime | 24 | (5.6%) |
| Employment | 13 | (3.0%) |
| TOTAL | 431 | |

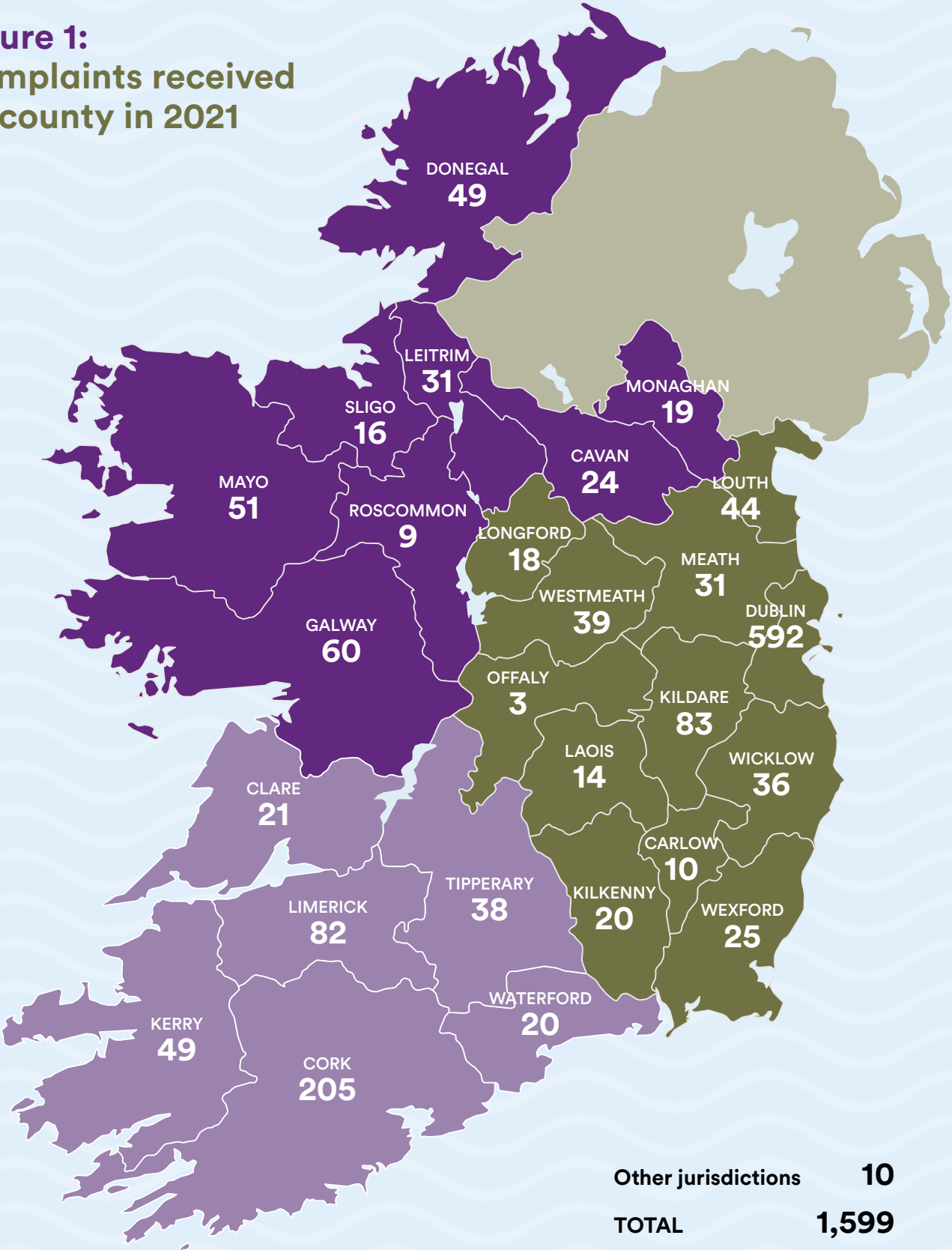
Excessive Costs

A total of 78 complaints were received which alleged that excessive costs had been sought by a legal practitioner. Of these, 28 (36%) related to litigation, with 19 (24%) relating to family law, 12 to conveyancing and 11 to the administration of estates (probate).



| | | |
|--------------|-----------|---------|
| Litigation | 28 | (35.9%) |
| Family | 19 | (24.4%) |
| Conveyancing | 12 | (15.1%) |
| Probate | 11 | (14.1%) |
| Other | 5 | (6.4%) |
| Crime | 3 | (3.9%) |
| TOTAL | 78 | |

Figure 1:
Complaints received
by county in 2021



Complaints Closed

A total of 435 query files were closed in 2021. These files were not classified as complaints and were closed after the LSRA had provided assistance to the enquirer.

A total of 1,343 complaints were closed during the year, as set out in Table 1. In the LSRA's complaints reports to date, we have 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. This trend continued during 2021, with a total of 378 closed complaints (28%) resolved informally in advance of admissibility being determined. The proportion of complaints being resolved in this way continues to be extremely encouraging.

In addition, 172 complaints were withdrawn and a further 58 were closed or deferred for other reasons. Complaints may be closed because the legal practitioner has ceased to practice or has been suspended or struck off the Roll of Solicitors. An investigation might be deferred because there are court proceedings on-going. It should also be noted that where cases are either withdrawn or resolved between the parties, the LSRA may determine that it is in the public interest for an investigation to continue. The LSRA continued with one complaint on this basis in 2021.

Under half of all complaints closed in 2021 (615 complaints, 45%) were closed because they were deemed as inadmissible following a statutory assessment. In addition 20 complaints were closed because they were successfully resolved in Informal Resolution, 25 were closed following a determination by the LSRA, and 75 were closed by the Complaints Committee. Further information on the outcomes of these closed complaints is provided below.

TABLE 1: Complaints Closed in 2021

| | |
|---------------------------------|-------|
| Inadmissible | 615 |
| Withdrawn | 172 |
| Resolved Pre-Admissibility | 378 |
| Resolved in Informal Resolution | 20 |
| Determined by LSRA | 25 |
| Complaints Committee | 75 |
| Other | 58 |
| TOTAL CLOSED | 1,343 |

LSRA Determinations and Review Committee Outcomes in 2021

Complaints relating to alleged inadequate standards of legal services and/or excessive costs that are not resolved by Informal Resolution are referred back to an LSRA case officer for determination under section 60 or 61 of the Act.

Although 25 complaints were closed following such a determination, there were in fact 47 LSRA determinations made in 2021. Following a determination, the parties have 30 days to decide if they are going to accept the determination or seek a review by the Review Committee. The LSRA cannot close a file until that period has elapsed. At the end of the year, 22 complaints remained in that review period with the result that they will be closed in 2022.

Where a complaint is determined in favour of the complainant, the LSRA may impose a direction to the legal practitioner to take one or more of the steps set out in the Act in order to bring the matter to a satisfactory conclusion for the complainant. These directions vary depending on the nature of the complaint. The most common directions are that the legal practitioner transfer the client’s file to another practitioner, that compensation not exceeding €3,000 is paid to the client, or that the practitioner refund or waive fees.

Out of the 47 complaints determined by the LSRA in 2021:

- **The LSRA upheld the complaint in 37 cases and made directions in 35 of those complaints.**
- **Two complaints were resolved so no determinations were made.**
- **Eight complaints were not upheld.**

Either party to a complaint is entitled under the Act to seek a review of a determination made by the LSRA. The Review Committee considers applications for review in accordance with the Act. The Committee considered nine such requests at three meetings during the year. One case was adjourned by the Review Committee, and eight determinations were reviewed.

The Review Committee confirmed the LSRA determinations in four complaints. Three complaints were remitted back to the LSRA case officer for an issue to be reconsidered, and in one complaint the determination was confirmed but varied to include a direction that the practitioner also pay compensation to the client.

“ Thank you for this correspondence. I am very grateful that the LSRA was set up and that I had the opportunity to raise and settle my complaint. ”

Complaints Committee Outcomes in 2021

Complaints relating to alleged misconduct are referred to the Complaints Committee for investigation. There were 34 meetings of Divisional Committees of the Complaints Committee in 2021. The Committee closed a total of 75 complaints, as set out in Table 2. Of these, 28 were not upheld, 16 were resolved and three were withdrawn or closed for other reasons. The Committee referred 16 complaints on to the Legal Practitioners Disciplinary Tribunal (LPDT) for further investigation.

In the remaining 12 complaints, the Committee considered that the act or omission did not warrant referral to the Tribunal but did warrant the imposition of a sanction which they imposed. The Act sets out a range of directions that the Committee can make including the waiver or refund of fees, other action considered to be in the interest of the client, and the payment of compensation to the client not exceeding €5,000. In most complaints the Committee made a combination of those directions, and in some complaints directed the payment of a contribution towards the LSRA’s costs.

Complaints to the Ombudsman in 2021

Complainants who are unhappy with the way that their complaint was investigated by the LSRA can bring a complaint to the Office of the Ombudsman. In 2021 a total of 62 such complaints were investigated by the Ombudsman. Of these, 49 were closed on the basis that the Ombudsman was satisfied that the LSRA had dealt with the matter correctly. The Ombudsman upheld 11 complaints. Two of those related to delays in replying to correspondence. In five complaints the Ombudsman was of the view that the admissibility decision issued by the LSRA was not sufficiently clear and required clarification and in one complaint the Ombudsman concluded that a decision of the Complaints Committee required further explanation. Three admissibility decisions were referred back to the LSRA to be reconsidered. Two complaints remained under investigation by the Ombudsman at the end of 2021.

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

TABLE 2: Complaints Committee Outcomes 2021

| Referred to LPDT | Upheld/Direction | Resolved | Withdrawn | Not Upheld | Other |
|------------------|------------------|----------|-----------|------------|-------|
| 16 | 12 | 16 | 1 | 28 | 2 |

Legal Practitioners Disciplinary Tribunal

Further work continued on the establishment of the Legal Practitioners Disciplinary Tribunal (LPDT) during 2021. The LPDT is an independent statutory body under the Act. Its role is to consider complaints of misconduct against solicitors and barristers referred to it from the LSRA's Complaints Committee or the Law Society.

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 Mr Tom Coughlan.

The Legal Practitioners Disciplinary Tribunal Regulations which govern the work of the Tribunal were drafted during 2021. Following a stakeholder consultation process, the regulations were completed and adopted at a plenary meeting of Tribunal members in December 2021. The approved Regulations will now be transposed into a Statutory Instrument in 2022.

While the LPDT is a separate entity to the LSRA with its own premises, the LSRA provides it 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. In relation to governance, a Service Level Agreement (SLA) was agreed between the LPDT and the LSRA in 2021. The SLA sets out the administrative and technical supports provided by the LSRA to the LPDT, while also incorporating the fundamental principle of the independence of the Tribunal. A Code of Conduct for members of the LPDT was drafted and approved by the Tribunal in the year under review. The Tribunal begins hearings in 2022.

As an independent statutory body, the LPDT will in future report on its activities in its own Annual Reports.

Legal Services, Levy and Registration

Steady growth of Limited Liability Partnerships

The number of partnerships of solicitors seeking authorisation from the LSRA to operate as Limited Liability Partnerships (LLPs) grew at a steady pace in 2021, with a total of 106 LLPs authorised during the year. This brought the total number of LLPs authorised since November 2019 to 364.

A total of 10 LLPs notified the LSRA in 2021 that they intended to cease operating as an LLP. This brought the figure on the Register of LLPs to 354 at the end of 2021.

The LLP authorisation framework, the Legal Services Regulation Act 2015 (Limited Liability Partnerships) (Section 130) Regulations 2019 (Regulations), were issued on 23 October 2019.

An 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 LLP operating model. The LSRA maintains and regularly updates the LLP Register, which currently comprises a list of partnerships of solicitors authorised to operate as LLPs. The Register is available on the LSRA website.

Throughout 2021, 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 53 queries relating to LLPs in 2021.

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 no later than 60 days following receipt of a valid application form and fee. The average processing time for LLP applications during 2021 was 30 days.

The sections of the Act which relate to legal partnerships are due to be commenced in 2022. Once that occurs, legal partnerships will also be able to apply for authorisation to operate as LLPs. Legal partnerships are defined in the Act as a partnership formed under the law of the State by written agreement, by two or more legal practitioners, at least one of whom is a practising barrister, for the purpose of providing legal services.

“ Many thanks for all your assistance and attention at each step of the process. ”

Insights on new LLPs in 2021

LSRA data on the 106 partnerships of solicitors that were authorised to operate as LLPs during 2021 provides useful insights, as shown in Tables 3 and 4. A total of 54 LLPs were authorised in county Dublin, with ten in Cork, six in Tipperary and four each in counties

Kerry, Limerick, Offaly and Wicklow. The majority of partnerships of solicitors (91) authorised as LLPs had between two and five partners. At the other end of the scale, a total of five solicitors' partnerships who were authorised during the year had more than 20 partners.

TABLE 3: LLPs Authorised in 2021 by County

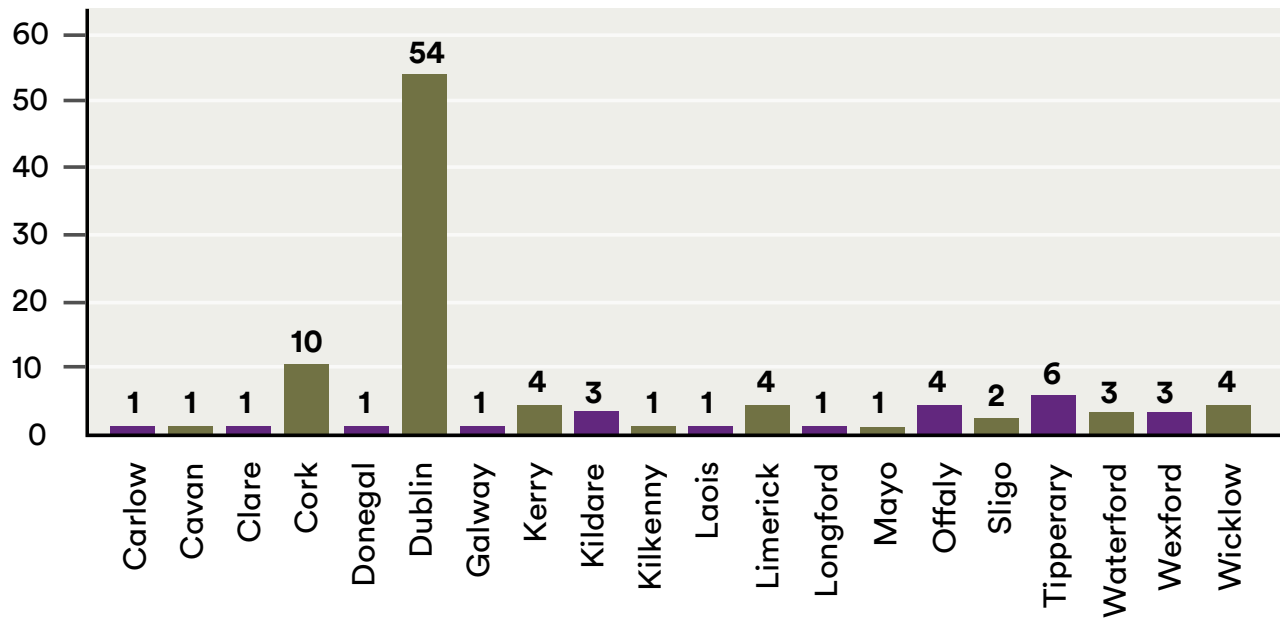
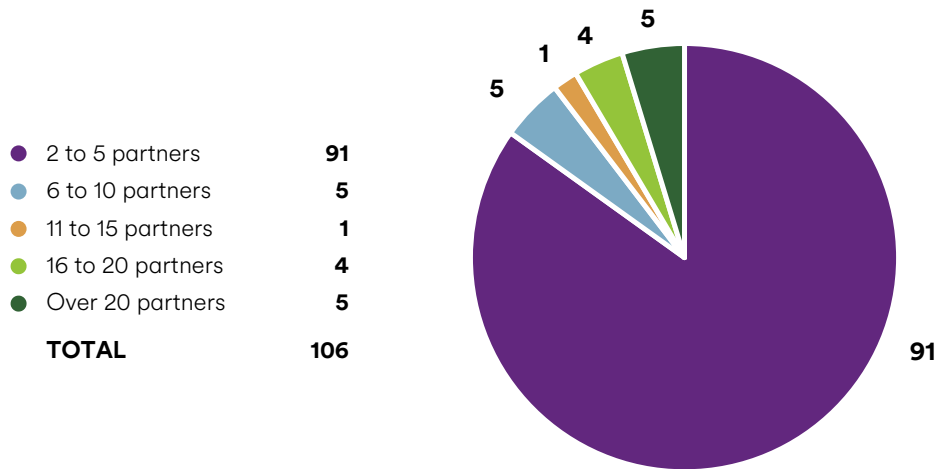


TABLE 4: LLPs Authorised in 2021 by Number of Partners



Third Year of Levy on the Professions

In 2021, the LSRA issued its third 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 liable for the levy under Part 7 of the Act, unless a barrister or solicitor is exempt for being in the full time service of the State (section 97 of the Act).

The levy is the LSRA's principal funding mechanism. The amount of the levy payable in 2021 was for the operating costs and administrative expenses of the Authority and the Legal Practitioner's Disciplinary Tribunal (Disciplinary Tribunal) incurred in the 2020 financial year.

The LSRA, with the consent of the Minister, determined the operating costs and administrative expenses of the Authority and the Disciplinary Tribunal for the 2020 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.

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 solicitors and barristers on 7 October 2019, following commencement of Part 6 of the Act. The levy for 2020 financial year amounted to €156.25 per barrister who was not a member of the Law Library, €161.07 per Law Library member and €200.14 per solicitor.

On 9 September 2021, the LSRA, as required under section 95 of the Act, issued Levy Assessment Notices to the two professional bodies as well as 487 individual barristers who are not members of the Law Library. A total of 115 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 62 queries regarding the levy in 2021.

A total of 87% of the levy for the 2020 financial year had been paid to the LSRA by 31 December 2021.

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 192 practising barristers were added to the Roll. The average turnaround time for applications was three working days. A total of 77 queries related to the Roll were dealt with in 2021.

The Roll numbers grew from 2,823 on 1 January 2021 to 2,933 on 31 December 2021. Of these, 2,180 were members of the Law Library and 753 were not members of the Law Library. Over the course the year, the LSRA received 248 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 82 barristers were removed from the Roll in 2021.

A Year of Regulating Advertising by Legal Practitioners

The year 2021 was the first full calendar year that advertising in relation to the provision of legal services by all legal practitioners was regulated under the same rules by the LSRA.

The LSRA assumed responsibility for regulating advertising by legal practitioners in December 2020, under the *Legal Services Regulation Act 2015 (Advertising) Regulations 2020 (Regulations)*.

“Thank you again for all your excellent and prompt assistance and guidance, it is truly appreciated.”

“Many thanks for your time and assistance with this matter: I sincerely appreciate your swift and professional response to my application.”

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.

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.

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.

Anyone who has concerns that an advertisement for legal services breaches the rules as set out in the Advertising Regulations can notify the LSRA. The LSRA will consider the concerns raised, and may choose to investigate.

Separately, where it is considered that the publication by a legal practitioner of an advertisement constitutes misconduct under the Act, a complaint can be made to the LSRA. During 2021, the LSRA initiated a number of investigations under Regulation 12 of the Advertising Regulations.

The LSRA encourages all legal practitioners to review their online, print and other advertising to ensure that it is fully compliant with the Regulations.

The LSRA and Senior Counsel Applications

In April 2020, 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. Prior to the applications system created in the Act, 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 2021.

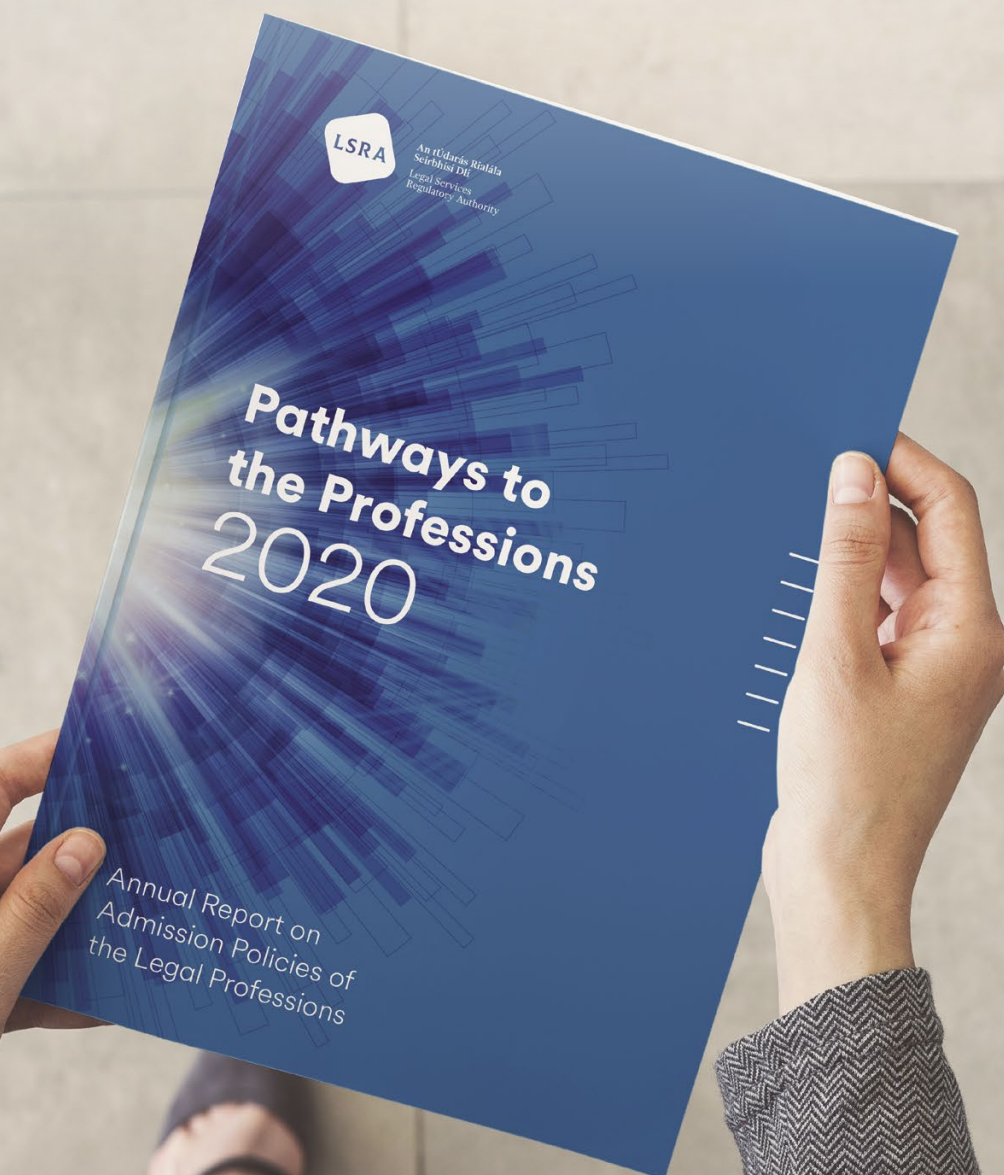
The Advisory Committee issued its second call for applications for recommendations in December 2020. It received a total of 89 applications; 55 from solicitors and 34 from barristers. In June 2021, the Government approved the granting of the title of Senior Counsel to 25 barristers and 12 solicitors, based on the Advisory Committee's recommendations.

The Advisory Committee's calls for applications were made via the LSRA website, which posted detailed information for applicants, including guidance and application forms. The Committee's third round call for applications opened in December 2021 and closed in February 2022.

3. How We Engage & Innovate

Research Reports and Recommendations

The year 2021 saw the publication of a total of three statutory reports which reflect the range of the Authority's functions and its research and reporting responsibilities under the Act.



Complaints Reports 2021

Highlighting themes in complaints to raise awareness and improve standards

The LSRA is required under section 73 of 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 under Part 6 of the Act. The first complaints report of 2021 was published on 7 April. It reported on 805 complaints from 7 September 2020 to 26 March 2021, highlighting a 33% increase in complaints on the previous reporting period. The second complaints report, published in 4 October, covered the reporting period from 27 March to 3 September 2021, and showed that the LSRA received 673 complaints and closed 646 complaints in the reporting period.

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 include anonymised case studies which are aimed at helping both consumers and legal services providers learn from our examination of individual complaints.

Pathways to the Professions Annual Report 2020

Collecting data on the admission policies of the legal profession

The Authority's second annual report on the admission policies of the legal professions, as required under section 33 of the Act, was submitted to the Minister for Justice in April 2021.

The Pathways to the Professions report presented comprehensive data on the number of persons admitted to practise as solicitors and barristers during 2020. It followed a statutory consultation which attracted a total of 13 written submissions.

The report concluded that: *"With the combined impacts of Covid-19 and Brexit, 2020 can in no way be considered a normal year in terms of numbers and patterns of admissions to the professions and the overall dynamics at play in the legal services sector."*

Ongoing Research in 2021

Exploring Economic and Other Barriers facing Early Career Solicitors and Barristers

In 2021 the LSRA embarked on significant piece of research on barriers and diversity in the young legal professions ahead of a report in 2022. This followed a request from the Minister for Justice in November 2020 for the Authority to “*consider the economic and other barriers faced by young barristers and young solicitors following their professional qualification from the King’s Inns and Law Society respectively*”.

The Minister requested that in considering these issues, the Authority pay particular attention to equity of access and entry into the legal professions, and the objective of achieving greater diversity within the professions.

In May 2021, the Authority launched a public consultation under section 34 of the Act, with a call for written submissions in relation to economic and other barriers for early career solicitors and barristers. A total of 34 written submissions were received, 21 from organisations and 13 from individuals.

The LSRA’s research team worked with the external research agency Behaviour and Attitudes (B&A) to develop and conduct its first comprehensive surveys of trainee and early career solicitors, student and early career barristers and law undergraduates. Two external reference groups were established to assist with the design of the surveys, one for solicitors and another for barristers. The Authority was grateful for the input of practitioners and academic experts on these groups.

The online anonymised surveys were conducted in October and November 2021, with distribution kindly facilitated by the Bar of Ireland, the Honorable Society of King’s Inns, the Law Society of Ireland and fifteen third-level education institutes. To expand upon and complement the survey results, qualitative research and interviews were also conducted by B&A and the Education, Research and Analysis Unit.

Analysing the Creation of a New Profession of Conveyancer

In September 2021, the Authority launched a public consultation inviting interested parties to make written submissions ahead of a report for the Minister for Justice on the creation of a new profession of conveyancer. The report, under section 34(1)(c) of the Act, was requested by the Minister in March 2021 in accordance with section 34(5)(a) of the Act. A total of 16 written submissions were received.

Work also got underway in 2021 for the LSRA to identify suitable external experts to contribute to the research report. The LSRA liaised with the Office of Government Procurement to issue a request for tenders under the research framework to design and carry out an expert analysis on the creation of a new profession of conveyancer as set out in a detailed terms of reference.

Reviewing the Legal Services Regulation Act 2015

In July 2021, the Authority launched a public consultation inviting written submissions in advance of the Authority’s second statutory review of the Act under section 6. A total of 14 submissions were received from 12 organisations or individuals.

Preparing the Annual Admissions Report

In November 2021, the Authority launched a public consultation inviting written submissions in advance of the Authority’s third Annual Report on the Admission Policies of the Legal Professions. Under section 33 of the Act, this report must be submitted to the Minister by the end of April 2022. A total of 14 written submissions were received.

Communications and Engagement

The LSRA strives 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 ongoing nature of the Covid-19 pandemic restrictions in 2021 curtailed the amount of in-person meetings and engagements between LSRA staff and external stakeholders during the year. Like many organisations, the LSRA continued throughout 2021 to take part in events and hold meetings online.

LSRA outreach events

Across the reporting year, the LSRA’s Chief Executive Dr Brian Doherty engaged regularly with representatives of the Law Society, the Bar of Ireland and the Honorable Society of King’s Inns. For the fourth consecutive year, Dr Doherty was a guest speaker at the launch of Smith & Williamson’s annual survey of Irish law firms, which took place virtually for the second year running.

As part of the LSRA’s ongoing domestic engagement work, Dr Doherty delivered talks on the LSRA’s complaints function, the advertising regulations and Limited Liability Partnerships. He also delivered CPD presentations at the Solicitors for the Elderly Seminar in June and at Mason Hayes and Curran’s Regulation of the In House Lawyer event in November. A full list of these and other activities are included in Appendix 1.

LSRA Chief Executive Officer, **Dr Brian Doherty** took part in an online workshop at the International Conference of Legal Regulators on Who is Training the Community Based Lawyer of the Future? Other panellists were **Anita Parkash, Kimitoshi Yabuki and Mark Woods** and the session was chaired by **Alison Hook**.

LSRA at the International Conference of Legal Regulators

Dr Doherty and other LSRA staff were also involved as organisers and participants in the International Conference of Legal Regulators (ICLR) 2021 which was also a virtual event for the second consecutive year. The ICLR provides a unique global opportunity for legal regulators, academics, non-governmental organisations and others to share best practice and emerging developments in the field.

The LSRA continues to be an enthusiastic supporter of the ICLR. For the September 2021 event we produced a video with aspiring and early career solicitors and barristers from a variety of backgrounds in Ireland discussing a range of entry barriers to the legal professions. The video was played to conference delegates ahead of a workshop session called Who Owns the Pathway? Broadening Access to the Legal Profession. This session explored the range of measures being taken across various jurisdictions to ensure that the legal profession is diverse and reflective of the communities which it serves.



4. Governance and Management

Authority Members and Nominating Bodies

The Authority members and their nominating bodies under the Act during 2021 were:



Dr Don Thornhill – Chair
Higher Education Authority

Dr Don Thornhill 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
Honorable Society of King’s Inns

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
Citizens Information Board

Angela Black was Chief Executive of Citizens Information Board from 2014 to 2021. Over her career, she has been engaged in customer service through her roles in public libraries, library administration and consumer financial services in the Department of Finance and European Commission. She represented Ireland’s EU negotiations on e-money, consumer credit, insurance and financial markets legal instruments. Her librarianship, ICT and banking risk qualifications have been put into practice in several senior public service roles. 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
Law Society of Ireland

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
Legal Aid Board

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 (resigned April 2021)
Institute of Legal Costs Accountants

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. Stephen resigned from the Authority on 19 April 2021 and was subsequently replaced by Shane Galligan.



Shane Galligan (appointed July 2021)

Institute of Legal Costs Accountants

Shane Galligan is a partner with Behan & Associates Legal Costs Accountants. Shane is a Fellow of the Institute of Legal Costs Accountants and Chair of its Education Committee. Since 2012, Shane has been a member of the six-person Governing Council of the Institute. He is also a member of the Chartered Institute of Arbitrators.



Dermott Jewell

Consumers' Association of Ireland

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.



Deirdre Malone (appointed February 2021)

Irish Human Rights and Equality Commission

Deirdre Malone is a Senior Manager in Legal Policy at Twitter. She holds an honours degree in law from Trinity College Dublin (2003) and a diploma in Charity Law, Trusteeship and Governance from the Law Society of Ireland (2020). She was called to the Bar of England and Wales in 2006 and practiced for several years from Garden Court Chambers, specialising in inquests and actions against the police. She was Executive Director of the Irish Penal Reform Trust 2014-2019 and was Legal Manager of the Public Interest Law Alliance, a public interest law network that seeks to engage the legal community and civil society in using the law to advance social change from 2019-2021. Previously Deirdre has also worked in the legal department of Liberty (National Council for Civil Liberties UK), in the Department of Foreign Affairs and Trade (Ireland), and as a researcher for the Irish Attorney General.



Deirdre McHugh (resigned September 2021)

Competition and Consumer Protection Commission

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. Deirdre resigned from the Authority on 23 September 2021. Deirdre was replaced as CCPC nominee by Siona Ryan from 23 February 2022.



Sara Moorhead SC

Bar of Ireland

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

Law Society of Ireland

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.

Authority appointments and reappointments in 2021

Shane Galligan was appointed to the Authority as nominee of the Institute of Legal Costs Accountants with effect from 22 July 2021, replacing **Stephen Fitzpatrick** who resigned from the Authority on 19 April 2021.

Deirdre Malone was appointed to the Authority as nominee of the Irish Human Rights and Equality Commission on 23 February 2021 with the appointment effective from 1 October 2020, replacing **Gerry Whyte**.

From April 2021 to July 2021 and from the end of September 2021 to February 2022, the Authority consisted of 10 members. This is permitted under the Act.



LSRA 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 Resigned 23/09/2021 |
| Stephen Fitzpatrick | Institute of Legal Costs Accountants | 3 Years | 3 Years Resigned 19/04/2021 |
| Shane Galligan ³ | Institute of Legal Costs Accountants | 3 Years | - |
| Dermott Jewell | Consumers’ Association of Ireland | 3 Years | 3 Years |
| Deirdre Malone ⁴ | Irish Human Rights and Equality Commission | 4 Years | - |
| Sara Moorhead ⁵ | 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 |
| Geraldine Clarke | Law Society of Ireland | 3 Years | 3 Years |
| Simon Murphy ⁶ | Law Society of Ireland | 4 Years | - |
| Síona Ryan ⁷ | Competition and Consumer Protection Commission | 3 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 three year term agreed to extend their terms by a further three years under section 10 of the 2015 Act.

³ Shane Galligan was appointed to the Authority with effect from 22 July 2021 to 30 September 2022.

⁴ Deirdre Malone was appointed to the Authority with effect from 1 October 2020 by letter dated 23 February 2021.

⁵ 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 and was renewed from 1 October 2019.

⁶ Simon Murphy was appointed to the Authority from 1 October 2020 following his nomination by the Law Society to replace James MacGuill.

⁷ Síona Ryan was appointed to the Authority from 23 February 2022 to 30 September 2022.

Authority’s Activities

The Authority met on five occasions during the year, bringing through a significant body of work to continue to build and execute the functions of the Legal Services Regulatory Authority. Due to Covid-19 impacts on business and associated restrictions, all five 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 28 January 2021, the Authority reviewed and approved the LSRA Budget for 2021 and the LSRA’s 2021 Business Plan. The Authority approved the approach and programme for undertaking a further research report under Section 34 of the Act on early career barriers for legal professionals (Barriers Report). The Authority also agreed to commence the second Review of the Operation of the Act.

Authority Meeting 2

At its second meeting on 25 March 2021, the Authority approved the Draft Financial Statements for 2020 for submission to the Department of Justice and the Office of the Comptroller & Auditor General. The Authority reviewed progress on the section 34 Barriers Report, the section 34(1)(c) Report on the Creation of a New Profession of Conveyancer and the Annual section 33 Report on the Admissions Policies of the Legal Professions.

Authority Meeting 3

At its third meeting on 3 June 2021, the Authority reviewed progress on the section 34 Barriers Report and the section 34(1)(c) Report on the Creation of a New Profession of Conveyancer. The Authority approved, by Resolution, the appointment of new members to the Review Committee and the Complaints Committee.

Authority Meeting 4

At its fourth meeting on 9 September 2021, the Authority reviewed the proposed amendments to the Act in respect of changes to the Levy Model and the introduction of the Legal Partnerships business model. The Authority reviewed progress on the section 34 Barriers Report and the section 34(1)(c) Report on the Creation of a New Profession of Conveyancer. The Authority approved, by Resolution, the appointment of new members to both the Review Committee and the Complaints Committee. The Authority, also by way of Resolution, authorised the CEO with performing the function of the Authority under section 66 of the Solicitors Act 1966 (as substituted by section 76 of the Solicitors (Amendment) Act 1994 and as amended by section 182 of the Legal Services Regulation Act 2015) to concur with the making of the Solicitors Accounts (Amendment) Regulations 2021.

Authority Meeting 5

At its fifth meeting on 18 November 2021, the Authority reviewed the findings of an independent audit of the LSRA’s Complaints and Resolutions process. The Authority was updated on progress with amendments to the 2015 Act (Levy Model and Legal Partnerships). The Authority reviewed progress on the section 34 Barriers Report and the section 34(1)(c) Report on the Creation of a New Profession of Conveyancer. Pursuant to section 13 (7) of the Legal Services Regulation Act 2015, the Authority ratified consent to the Law Society in respect of the Solicitors Professional Indemnity Insurance Regulations 2021. By way of presentation from the CEO and discussion, the Authority reviewed its programme of activities for 2021 and the roadmap of planned activities for 2022.

Financial Statements and Procurement

In 2021, the Authority submitted its fourth set of Financial Statements for the period from January 2020 to December 2020, to the Comptroller and Auditor General for Audit. On 15 December 2021, 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 2020 and of its income and expenditure from 1 January 2020 to 31 December 2020 in accordance with Financial Reporting Standard (FRS) 102.

The Authority undertook procurement exercises in 2021 with the advice and assistance of the Office of Government Procurement. The procurement exercises employed the existing All-of-Government Frameworks.

TABLE 5: Attendance at Authority Meetings January to November 2021

| Members | 28/01/21 | 25/03/21 | 03/06/21 | 09/09/21 | 18/11/21 |
|-----------------------|----------|----------|----------|----------|----------|
| Eileen Barrington | ✓ | ✓ | ✓ | ✓ | ✓ |
| Angela Black | ✓ | ✓ | ✓ | ✗ | ✓ |
| Geraldine Clarke | ✓ | ✓ | ✓ | ✗ | ✓ |
| Joan Crawford | ✓ | ✓ | ✓ | ✓ | ✓ |
| Stephen Fitzpatrick | ✓ | ✓ | n/a | n/a | n/a |
| Shane Galligan | n/a | n/a | n/a | ✓ | ✓ |
| Dermott Jewell | ✓ | ✓ | ✓ | ✓ | ✓ |
| Deirdre Malone | n/a | ✓ | ✓ | ✓ | ✗ |
| Deirdre McHugh | ✓ | ✓ | ✗ | ✓ | n/a |
| Sara Moorhead | ✓ | ✓ | ✓ | ✗ | ✓ |
| Simon Murphy | ✓ | ✓ | ✓ | ✓ | ✓ |
| Don Thornhill (Chair) | ✓ | ✓ | ✓ | ✓ | ✓ |

Note:
Stephen Fitzpatrick resigned 19 April 2021.
Shane Galligan appointed from 22 July 2021.
Deirdre Malone appointed 23 February 2021.
Deirdre McHugh resigned 23 September 2021.

Finance, Audit and Risk Committee

The LSRA’s Finance, Audit and Risk (FAR) Committee was chaired by Authority member Stephen Fitzpatrick and, following his resignation from the Authority, by Angela Black. Authority member Geraldine Clarke also sits 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 2021. 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 those 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 2021

| Members | 18/03/21 | 28/06/21 | 03/09/21 | 12/11/21 |
|---------------------|----------|----------|----------|----------|
| Angela Black | ✓ | ✓ | ✓ | ✓ |
| Claire Byrne | ✓ | ✓ | ✓ | ✓ |
| Geraldine Clarke | ✓ | ✓ | ✓ | ✗ |
| Stephen Fitzpatrick | ✓ | n/a | n/a | n/a |
| 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. In addition, declaration of interests on specific agenda items is included as a standing item for each Authority Meeting and each Finance Audit and Risk Committee Meeting.

Performance Evaluation

The Authority will be undertaking an external evaluation of its performance in 2022. 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 2021, the LSRA engaged extensively with officials from the Department of Justice. Two Governance Meetings were held in 2021 between the LSRA and the Civil Governance Unit of the Department of Justice, on 15 April and 7 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 at least once a month in 2021. This allowed the agencies to provide business continuity and associated updates as well as allowing the Department to share core Government updates and guidance with the agencies.

Financial Reporting

All appropriate procedures for financial reporting were adhered to in 2021 by the Authority. An annual budget for 2021 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 2020 to 31 December 2020 was prepared and submitted to the Department of Justice and the Office of the Comptroller and Auditor General (OCAG) by the deadline of 31 March 2021. Audited accounts were approved by the OCAG on 15 December 2021 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

The LSRA is the competent authority under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 as amended, for all barristers in the State. This means barristers who are members of the Law Library and 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. The LSRA is the competent authority for approximately 3,000 barristers registered on the Roll.

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 provides guidance via its website 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 2021 the LSRA developed and uploaded to its website, a series of guidance documents for barristers. This guidance was also publicised by the LSRA through social media channels.

In 2021 the LSRA joined the Anti Money Laundering Steering Committee hosted by the Department of Finance.

The LSRA also contributed to the EU Commission’s review of the Implementation of the 4th Anti-Money Laundering Directive. Whilst 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 2021.

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 2021, the LSRA received six Subject Access Requests under the Data Protection Acts.

The LSRA had 12 data breaches in 2021. Eleven of these breaches were determined as low level breaches. One breach was deemed notifiable to the Data Protection Commission.

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 twenty 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 2021, 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 2021. 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 (DPER) Code of Practice for the Governance of State Bodies in 2017. The LSRA has 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 2022.**

TABLE 7: Freedom of Information Requests 2021

| Ref | Requestor Category | Granted | Part Granted | Refused | With-drawn | Awaiting Decision |
|-----|----------------------|---------|--------------|---------|------------|-------------------|
| 01 | Legal Practitioner | | | | X | |
| 02 | Member of the Public | X | | | | |
| 03 | Member of the Public | | | | X | |
| 04 | Member of the Public | X | | | | |
| 05 | Legal Practitioner | X | | | | |
| 06 | Member of the Public | | | X | | |
| 07 | Member of the Public | | | X | | |
| 08 | Member of the Public | X | | | | |
| 09 | Member of the Public | | X | | | |
| 10 | Member of the Public | X | | | | |
| 11 | Legal Practitioner | X | | | | |
| 12 | Legal Practitioner | X | | | | |
| 13 | Member of the Public | X | | | | |
| 14 | Member of the Public | | X | | | |
| 15 | Legal Practitioner | | X | | | |
| 16 | Member of the Public | X | | | | |
| 17 | Member of the Public | | | X | | |
| 18 | Member of the Public | X | | | | |
| 19 | Member of the Public | X | | | | |
| 20 | Legal Practitioner | | | | X | |

Organisational Developments

In line with our Strategic Plan 2019-2022, during 2021 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.

A total of eleven competitions were held in 2021 for numerous roles for the LSRA and also for the lay members for Review Committee and Complaints Committee.

More than 250 applicants applied for these vacancies. The continued impact of the Covid-19 pandemic meant that all campaigns were held remotely. At the end of 2021, the LSRA had 46 members of staff – up from 33 at the end of 2020. The table below provides a breakdown of our 2021 staff complement, and vacancies, by public sector grade.

TABLE 8: LSRA Staff 2021

| Grade | 2021* |
|-----------------------------|-------|
| Assistant Secretary | 1 |
| Principal Officer | 2 |
| Assistant Principal Officer | 7.3 |
| Legal Advisor | 2 |
| State Solicitor | 9.6 |
| Higher Executive Officer | 7 |
| Legal Researcher | 1 |
| Officer Manager | 1 |
| Executive Officer | 0 |
| Clerical Officer | 13.6 |
| TOTAL | 44.5 |

* Staff numbers reflect job sharing arrangements.
A total of 46 staff members equates to 44.5 FTEs (Full Time Equivalents).

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. Softworks Time Management System was introduced in June 2021 and will assist calculations and apportionment for the levy. The LSRA has a Performance Management Development system for all staff and training was provided during the year to all new recruits. There is a Probation Management process in place for all new staff.

Continuous Development for our Staff

Staff attended numerous training courses during 2021. Mandatory courses for all staff were Freedom of Information, Data Protection and Disability Awareness. Other training courses included Dealing with Difficult Customers, People Management, Mediation and Managing Teams Remotely. Training was also delivered in Microsoft Excel and Word. Lunch and Learn sessions took place in 2021.

Health and Safety 2021 including Covid-19

In 2021, most LSRA staff worked remotely. Only limited numbers of staff attended the office to deal with post and phones. The Department of Justice ICT Unit assisted Corporate Services to arrange for new staff to have remote access to the LSRA business systems from commencement of employment. 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.

In summer 2021, a remote ergonomic assessment of home workstations was undertaken for all staff. Additional support equipment needs were identified and staff received them in 2021. Wellbeing supports for staff included a Step Challenge staff competition and training in building resilience and managing stressful situations.

Public Sector Duty and Human Rights

The LSRA continued to meet its obligations to staff and customers under the Public Sector Equality and Human Rights Duty.

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.

Energy Efficiencies

The LSRA's office is in Stoneybatter, Dublin 7. The office was upgraded in 2020, just before the onset of the Covid-19 pandemic. This led to an improved BER rating, from C2 to B2. With limited numbers of staff attending the premises in 2021, energy usage was relatively low. An Energy Awareness Campaign was launched for all staff for energy saving tips for the office and staff remote offices. Further energy awareness campaigns, Green Team and actions for implementing reduction in carbon emissions in line with Government policy will proceed in 2022.

Procurement Activities

Procurement conducted in 2021 was in line with EU law and Government circulars and guidelines. The LSRA seeks to undertake all procurement through the Framework Agreements available through the Office of Government Procurement (OGP) where feasible.

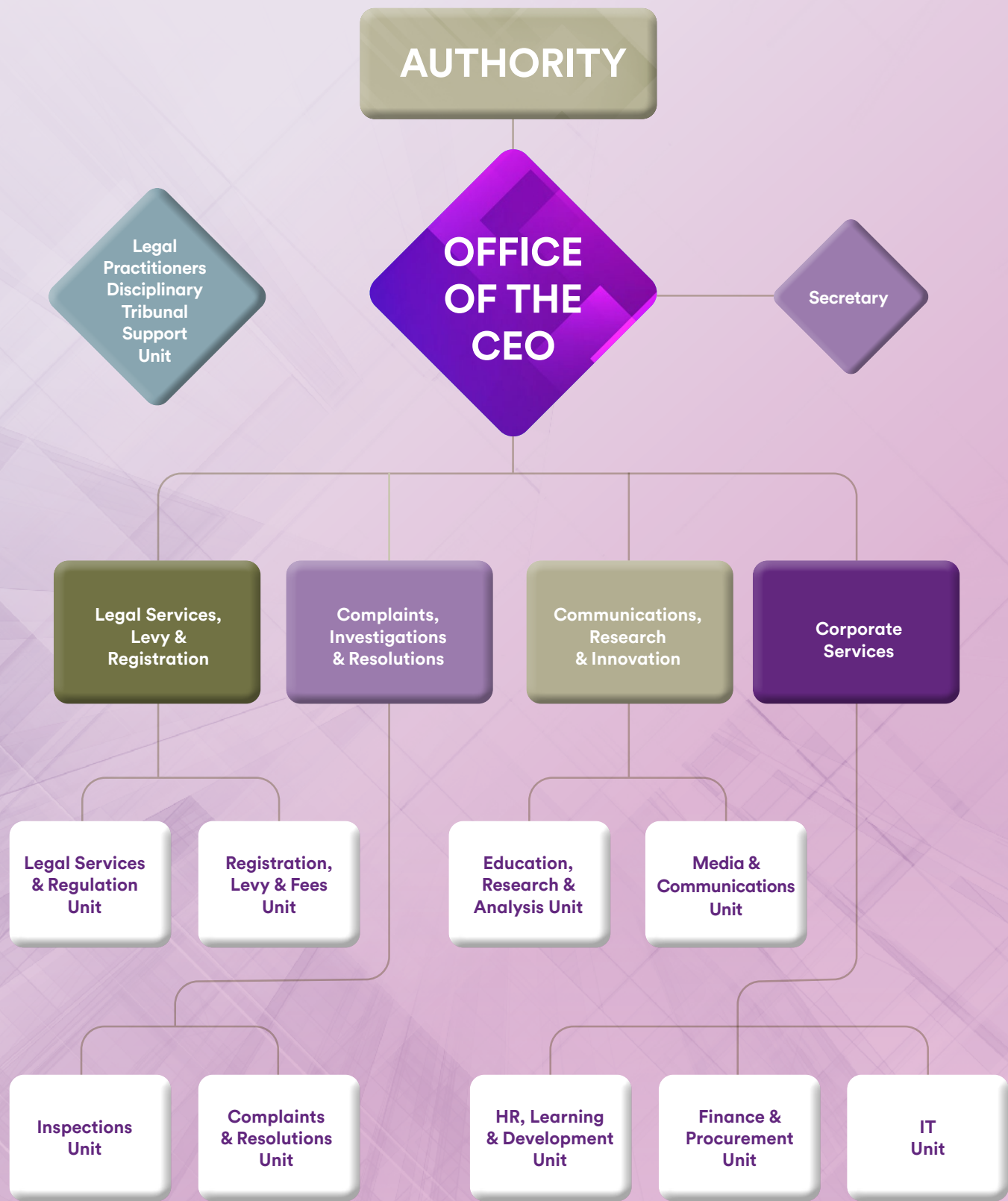
Prompt Payment of Accounts

It is the policy of the Legal Services Regulatory Authority to fully comply with the terms of the Prompt Payments of Accounts Act 1997. The LSRA has procedures in place to ensure that all invoices are paid within the statutory time limit. While the procedures have been designed to ensure compliance with the Act, they only provide reasonable and not absolute assurance against material non-compliance with the Act. In 2021, no invoices incurred late payment penalties.

Senior Management Team

During 2021, 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 Annual Business Plan for each Department. Health and Safety in the context of the Covid-19 pandemic was a regular topic to ensure the safety of the staff and the maintenance of optimum levels of business operation.

Organisational Structure



Senior Management Team

Office of the CEO



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.

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.

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.

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 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.

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 2021

| Date | Key Activity |
|-------------|---|
| 28 January | 25th Meeting of the Authority |
| 1 February | Law Society update meeting |
| 9 February | Update Meeting with King's Inns |
| 16 February | Meeting with King's Inns on Data Collection |
| 18 February | Meeting with EY Consultancy Re: Bar of Ireland |
| 26 February | Draft Financial Statements for 2020 submitted to the Department of Justice |
| 11 March | Law Society update meeting |
| 18 March | First FAR Committee meeting of 2021 |
| 25 March | 26th Meeting of the Authority |
| 30 March | Draft Revised Financial Statements for 2020 submitted to Department of Justice and Office of the Comptroller & Auditor General (OCAG) |
| 30 March | Meeting with the European Commission on the 2021 EU Rule of Law Report |
| 7 April | First LSRA Complaints Report of 2021 under section 73 of the Act published |
| 15 April | Governance meeting with the Department of Justice |
| 13 May | LSRA opened the public consultation under section 34 on the Barriers Report |
| 14 May | Law Society update meeting |
| 3 June | 27th Meeting of the Authority |
| 9 June | CEO delivered a presentation on Limited Liability Partnerships to the Law Society Small Practice Information Session |
| 28 June | Second FAR Committee Meeting of 2021 |

| Date | Key Activity |
|--------------------------|--|
| 30 June | CEO delivered a presentation to a seminar hosted by Solicitors for the Elderly Ireland in partnership with the Law Society |
| 30 June | LSRA's section 33 Annual Report on the Admission Policies of the Legal Professions published |
| 7 July | Law Society update meeting |
| 8 July | LSRA opened a public consultation on the review of the 2015 Act under section 6 |
| 20 July | Authority's Annual Report for 2020 published |
| 3 September | Third Far Committee meeting of 2021 |
| 8 September | LSRA opened a public consultation for the section 34 report on the Creation of a New Profession of Conveyancer |
| 9 September | 28th Meeting of the Authority |
| 9 September | Authority appointed six new lay members to the Complaints Committee under section 69 of the Act and four new lay members of the Review Committee under section 62 of the Act |
| 7 October | Second LSRA Complaints Report of 2021 under section 73 of the Act published |
| 7 October | Governance meeting with the Department of Justice |
| 18 October | LSRA undertook first comprehensive survey of junior solicitors and barristers and law undergraduates for section 34 Barriers Report |
| 27 September - 1 October | CEO and Head of Research Department participated in online International Conference of Legal Regulators |
| 12 November | Fourth FAR Committee Meeting of 2021 |
| 18 November | 29th Meeting of the Authority |

| Date | Key Activity |
|-------------|--|
| 22 November | Law Society update meeting |
| 23 November | CEO delivered a presentation to the Mason Hayes and Curran Regulation of the In-House Lawyer Webinar |
| 25 November | CEO delivered a speech at launch of the Smith and Williamsons 10th Annual Survey of Irish Law Firms 2021-2022 |
| 25 November | CEO delivered a CPD presentation on the complaints process for the Dublin Solicitors Bar Association |
| 13 December | LSRA opened a public consultation on the Admission Policies of the Legal Professions |
| 15 December | Applications opened for solicitors and barristers to apply to the Advisory Committee on the Grant of Patents of Precedence |





An tÚdarás Rialála
Seirbhíse Dlí
Legal Services
Regulatory Authority

Legal Services Regulatory Authority

*Unit 1-3, Manor Street Business Park
Stoneybatter, Dublin 7*

Postcode: D07 K290

Email: lsra-inbox@lsra.ie

Website: www.lsra.ie

Twitter: @LSRAIreland

