



## **LSRA report shows 778 complaints received and 754 complaints closed in six month period**

*Regulator advises legal practitioners to comply with its  
directions or face High Court enforcement action*

**Press release: Friday 18 November 2022**

The Legal Services Regulatory Authority (LSRA) today publishes its second complaints report for 2022 which shows it received 778 complaints about legal practitioners in a six month period, with 754 complaints closed.

The report provides details of the number and nature of complaints about legal practitioners (solicitors and barristers) received and investigated during the reporting period of 5 March to 2 September 2022. This includes a total of 70 complaints closed by the Complaints Committee set up in 2020 to investigate complaints of alleged misconduct.

### **Total complaints received**

The LSRA's Complaints and Resolutions Unit received a total of 778 complaints in the reporting period.

- A total of 759 complaints related to solicitors and 19 to barristers, reflecting the higher number of solicitors and their greater level of contact with consumers. Multiple complaints may be brought against an individual legal practitioner.
- A total of 521 complaints (67%) alleged misconduct, with 228 complaints (29%) about alleged inadequate standard of legal services. A further 29 (4%) came under the category of alleged excessive costs (overcharging).
- The main areas of legal services and costs that attracted complaints were litigation, family law, probate and conveyancing.
- The breakdown of complaints grounds and areas in this reporting period is largely consistent with the pattern seen in the LSRA's five previous complaints reports since it began receiving and investigating complaints about legal practitioners on 7 October 2019.
- The LSRA's Complaints and Resolutions staff received a total of 1,350 phone calls and e-mails requesting information and/or complaints forms. A total of 994 files were opened initially as queries.



### **Total complaints closed**

A total of 754 complaints were closed during the reporting period. These comprised:

- A total of 294 complaints (39%) which were closed pre-admissibility – that is before a decision was made as to whether the complaint was admissible. Of these, 134 were resolved with the assistance of the LSRA, 139 were withdrawn, two deferred and a further 19 complaints could not proceed to admissibility for a variety of other reasons.
- A total of 460 complaints (61%) were closed either at the admissibility decision stage or post-admissibility. Of these, 340 complaints were deemed inadmissible by the LSRA. A further 9 complaints were resolved in the Informal Resolution process with the help of the LSRA's trained mediators; 41 were determined by the LSRA; and 70 were closed by the Complaints Committee which handles complaints of alleged misconduct referred to it by LSRA complaints staff.

### **LSRA complaints determinations**

The LSRA's complaints staff made determinations in a total of 46 complaints of inadequate standard of legal services and excessive costs (overcharging). Of these, 27 complaints were upheld and 19 were not upheld. In upheld complaints, the LSRA made directions for payments by legal practitioners of compensation to their clients of between €615 and €3,000. The total amount of compensation was €22,865.

### **Review Committee: reviews of LSRA determinations**

Ten LSRA determinations were reviewed by the Review Committee during the reporting period following requests from either the legal practitioner or the complainant. The Review Committee confirmed the LSRA's determinations in six of these complaints and remitted four complaints to the LSRA for reconsideration.

### **Complaints Committee: closed misconduct complaints**

A total of 70 complaints were closed by the Complaints Committee in the reporting period. Of these:

- Twenty complaints were resolved by the parties and the Complaints Committee did not continue with its investigation.
- A total of 24 complaints were not upheld by the Complaints Committee.
- Eleven complaints were upheld and directions issued to legal practitioners including to pay compensation to clients.
- Six complaints were referred by the Complaints Committee to the Legal Practitioners Disciplinary Tribunal (LPDT) for further investigation.
- Seven complaints were withdrawn by the complainant.
- The investigation of two complaints was discontinued.



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

*“While we always strive to work with parties to resolve complaints where possible and appropriate to do so, there have recently been a small number of instances where the LSRA has made a determination in a complaint and issued a statutory direction to a legal practitioner, and the practitioner has chosen not to comply with the direction. In the rare cases where this occurs, the LSRA will use its statutory powers and apply to the High Court for an order for compliance. The LSRA will also apply for an order covering any costs it has incurred.*”

**Dr Doherty continued:**

*“For the first time we are today reporting on successful High Court enforcement proceedings taken against solicitors by the LSRA. The High Court has made orders in two LSRA applications and there are more such proceedings under consideration. Where the LSRA makes a determination in a complaint and issues a statutory direction, I strongly advise legal practitioners to take action before we take them to court.”*

Today's report is available to download here: [\*\*Independent Complaints Handling: Complaints about solicitors and barristers, Report 2-2022\*\*](#)

**Note to Editors:**

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

The LSRA began receiving and investigating complaints about legal practitioners on 7 October 2019.

**ENDS**