



MINUTES FINAL

33rd Meeting of Legal Services Regulatory Authority – Minutes (FINAL)

Date: 8 September 2022

Time: 16:30 to 18:30

Attendees by video conference:

Authority Members	Executive & Secretariat	Others
Angela Black	Brian Doherty (CEO)	
Eileen Barrington	Ultan Ryan (Secretary)	
Geraldine Clarke	Nuala Haughey (Head of Comms) (for Item 7)	
Joan Crawford		
Shane Galligan		
Dermott Jewell		
Deirdre Malone		
Síona Ryan		
Don Thornhill (Chairperson)		

Apologies: Simon Murphy, Sara Moorhead

Joan Crawford to leave the meeting temporarily to deal with an unrelated matter at 17:15

Section 1 – Administration

1.0 General

1.1 Agenda adopted.

It was formally confirmed that Authority approved consent on 17 October under section 201 of the Legal Services Regulation Act 2015 for the Solicitors Professional Indemnity Insurance Regulations 2022.

1.2 Declaration of Interests on agenda items. None raised.

1.3 Minutes of Authority meeting of 16 June 2022 approved.

- Matters arising in Minutes dealt with in CEO Report.
- 1.4 Schedule of Meetings for 2023 was noted by the Authority.

Section 2 – Governance

2.0 CEO Report

- 2.0.1 CEO provided updates on matters arising from June Minutes, highlighted activity and Risk Register dashboard since the last Authority meeting:
- 2.0.2 COVID Update:
LSRA operating with Blended Working model for staff with a mix of on-site and remote days. A formal Blended Working Policy will be developed over the coming months and rolled out. LSRA monitoring the rollout of the Department of Justice Blended Working Model and will adjust that model for LSRA needs.
- 2.0.3 Recruitment and Staffing:
CEO updated Authority on key current staffing challenges. Grant Thornton working to finalise a Workforce Review report and submission which will reflect the LSRA's current and future workforce needs and will be submitted to DPER for recruitment sanction. DAC Beachcroft recommendations on the audit of the Complaints Process will also feed into this. Two Mediators to join on temporary contract from early September to assist with informal resolution activities.
- 2.0.4 Legislative Amendments to the 2015 Act:
The LSRA has been engaging with the Department of Justice in respect of the amendments to allow the introduction of Legal Partnerships and the amendments to the existing Levy Model to allow a budgeted model. In relation to the Levy Model amendments (Part 7), Department of Justice indicated that the majority of those amendments are expected to be introduced at Committee Stage.
- 2.0.5 Limited Liability Partnerships (LLP):
The LSRA has recently approved registration of the 406th LLP since the introduction of the new business model.
- 2.0.6 Section 32 Advances 2016-2018:
In respect of advances received by the Authority pursuant to section 32 of the 2015 Act in the period 2016-2018 inclusive, the LSRA has received confirmation from DPER through Department of Justice that these advances

are treated as establishment costs and recoupment will not be sought. LSRA Financial position in 2022 being monitored in respect of feasibility of recouping €1m plus €200k before end year. 87.37% of Levy received in 2022 in respect of 2021 expenditure.

2.0.7 Risk Management:

Risk Management update provided in report.

2.0.8 Other matters dealt with under separate agenda items.

3.0 Duly Authorised Register.

Duly Authorised Register as at 6 September 2022 approved.

Section 3 – Finance

4.0 Financial Reports

The CEO informed the Authority that the Levy Notices for this year issued on 9 June. Payment of the Levy in respect of the Law Society (for all Solicitors) was received on 15 June. A section 32 advance of €1m was received from the Minister for Justice in January 2022 and the LSRA has flagged risk on feasibility of recouping the full €1.2m (€1m section 32 plus €200k in respect of previous years) in 2022 having regard to the LSRA's expenditure needs. The LSRA Budget Profile for remainder of 2022 will need to be revised to reflect significant variances (plus or minus) in budget vs spend in the first half of 2022. The Authority also noted the ongoing challenge posed by the current Levy model and the need for this to be resolved.

4.1 Management Accounts for period ending 31 July 2022

Authority noted the July management Accounts.

Section 4 – LSRA Policy and Implementation

5.0 Finance, Audit and Risk Committee Chairperson's Report from 23 June 2022 Meeting

FAR Committee Chairperson provided an update from the Committee to the Authority on key matters:

- Review of Management Accounts and matters arising;
- Review of Risk (dealt with in CEO report)
- OCAG Audit awaited;
- IAU Report on internal Controls 2021 completed and signed by CEO. 14 Recommendations (4 x Medium Priority and 10 x Low Priority).

6.0 Update on the Performance of the Complaints and Resolutions Department

6.0.1 Complaints Reporting and Statistics:

The Authority Members were provided with a statistical report for the year to 19 August 2022, which outlined the processing of cases through the different stages of the Complaints process. The Authority discussed the statistical reports provided. This included discussion on:

- 'Age' of complaints and focus of reviews of those cases;

- Improvements in efficiency of turnaround on Admissibility Decisions;
- Support (advice and materials) for the Complaints Committee.

6.0.2 Staffing:

Recruitment ongoing to fill existing vacancies. Following the DAC Beachcroft review further staff have been allocated to provide support for the Review and Complaints Committees Secretariat. Two Mediators have been engaged on short term contract to focus on informal resolution activities. The Workforce Review (report and submission to DPER) being undertaken by Grant Thornton will include analysis of the needs of the Complaints and Resolutions function and is expected to see recommendations for additional staffing for that Department.

7.0 LSRA Strategic Plan 2022-2025

7.0.1 CEO and LSRA Head of Comms presented the Draft LSRA Strategic Plan 2022-2025 to the Authority for approval. The Methodology leading to the draft included:

- Engagement with other regulatory bodies and comparator agencies;
- Consultations with LSRA staff through a number of forums, including workshopping;
- External stakeholder consultation and engagement.

7.0.2 The Authority discussed the Strategic Plan in detail and the Executive agreed to reflect the Authority's feedback in a revised Draft for submission to the Minister.

8.0 Update on Section 34(c) Report on Profession of Conveyancer

8.0.1 The Authority was provided with a progress update on the report work. The CEO advised the authority that a significant amount of research and drafting is required for the report and that this work is ongoing with Ipsos and internally within LSRA. This has been flagged to the Department of Justice as it will impact on the timeline for submission of the final report.

8.0.2 A further progress update will be provided to the Authority at the next meeting.

9.0 Section 34 "Barriers" Report

9.0.1 The LSRA Executive has been liaising with the Department of Justice on both the "Barriers" report and the "Setting the Standards" report. Both reports are interlinked on theme and actions with the establishment of the Legal Practitioners Education and Training (LPET) Committee being a key requirement.

9.0.2 Subject to clarification from the Department of Justice on the LPET Committee, the LSRA Executive will finalise its engagement with stakeholders

on the draft recommendations and will submit revised recommendations to the Authority for discussion and approval at its November meeting.

10.0 Update on establishment of Legal Practitioners Disciplinary Tribunal (LPDT)

10.0.1 The Authority was provided with an information note and update on the progress of establishment of the LPDT. The LPDT regulations were published in August. The LPDT is currently preparing for the commencement of Inquiries and both the Law Society and LSR are preparing applications in that regard.

10.0.2 The LSRA is awaiting consent from DPER and Department of Justice to enter into a lease for the Bow Street premises currently used by the Solicitors Disciplinary Tribunal.

11.0 Update on Section 6 Review of the Operation of the 2015 Act

Drafting is ongoing on this report. The LSRA received 12 submissions as part of the consultation process. Focus includes amendments to Levy model, streamlining of complaints process and minor technical amendments to the Act. In addition, the LSRA Complaints Committee has provided key feedback on its operation which will also be worked into the Review Report. Update will be provided by the CEO at the November meeting.

12.0 Closed Session

The Secretary left the meeting for the closed session of the Authority.

13.0 AOB

AOB items were taken at the beginning of the meeting (formal approval of Solicitors PII Regulations 2022).

Action Points – Meeting of 8 September 2022	
Agenda Item	Action
1.3	<p><u>Minutes:</u></p> <ul style="list-style-type: none"> • Minutes of 16 June 2022 approved. • Secretary to arrange upload to website.
2.0.	<p><u>CEO Report:</u></p> <ul style="list-style-type: none"> • Update on staffing to be provided at next meeting
3.0	<p><u>Duly Authorised Register:</u></p> <ul style="list-style-type: none"> • Updated Duly Authorised Register will be circulated prior to next Authority Meeting to reflect staff changes.
4.0	<p><u>Financial Reports:</u></p> <ul style="list-style-type: none"> • Update on status of 2022 advances and recoupment to be provided at November meeting.
6.0	<p><u>Update on performance of Complaints and Resolutions Department:</u></p> <ul style="list-style-type: none"> • Update Authority on Complaints statistics and processing; • Update Authority on Recommendations and actions arising from DAC Beachcroft Report
7.0	<p><u>Strategic Plan 2022-2025:</u></p> <ul style="list-style-type: none"> • Executive to reflect Authority feedback in revised draft Strategic Plan 2022-2025 • Strategic Plan 2022-2025 to be submitted to the Minister for Justice at end September 2022.
8.0	<p><u>Section 34(c) Report on Profession of Conveyancer:</u></p> <ul style="list-style-type: none"> • Update on progress to be provided at next Authority Meeting.
9.0	<p><u>Section 34 'Barriers' Report:</u></p> <ul style="list-style-type: none"> • Draft Recommendations Report to reflect the feedback from the Authority Members at this meeting;

	<ul style="list-style-type: none"> • LSRA Executive to engage with relevant stakeholders in respect of the Draft Recommendations Report and a revised Draft report to be submitted to the Authority for consideration at its November meeting.
10.0	<p><u>Legal Practitioners Disciplinary Tribunal:</u></p> <ul style="list-style-type: none"> • Update on establishment and operation of LPDT to be provided at next Authority meeting.
11.0	<p><u>Section 6 Review of the Operation of the 2015 Act:</u></p> <ul style="list-style-type: none"> • Update on Section 6 Review Report to be provided at the next Authority meeting.

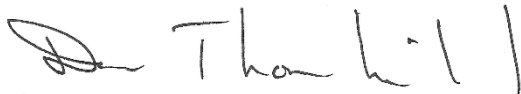
FINAL Minutes Signed



1 December 2022

Ultan Ryan, Secretary

Date



1 December 2022

Don Thornhill, Chairperson

Date