

Appointments of Lay Members of the Complaints Committee of the Legal Services Regulatory Authority

- Location:** Dublin
- Remuneration:** €350 lay member day rate
€455 Chairperson day rate
There is no remuneration for current Civil Servants
- Time Requirements:** Estimated 8-15 sittings per annum.

1. Background

The Legal Services Regulatory Authority, the LSRA, was established under the Legal Services Regulation Act, 2015 (“the 2015 Act”) as the new and independent statutory body responsible for the regulation of the provision of legal services by legal practitioners (both solicitors and barristers) and for ensuring the maintenance and improvement of standards in the provision of such services in the State. The Authority has a number of other functions, which are summarised below, and applicants should refer to the 2015 Act for full details. The Authority was formally established on 1 October 2016.

2. LSRA Functions

The Authority will undertake the following specific functions as part of its role:

- (1) 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.
- (2) Disseminate information in respect of the education and accreditation requirements and any other matters referred to above as the LSRA thinks fit.
- (3) Specify the nature and minimum levels of professional indemnity insurance required.

- (4) Establish and administer a system of inspection of legal practitioners for the purposes of the Act.
- (5) Receive and investigate complaints against legal practitioners.
- (6) Establish and maintain the roll of practising barristers.
- (7) Promote public awareness and disseminate information to the public in respect of legal services, including the cost of such services.
- (8) Keep the Minister for Justice & Equality informed of developments in respect of the provision of legal services including their cost.
- (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 projects and other activities in respect of the provision of legal services, which may increase public awareness and promote an improvement in standards for their provision, and make recommendations to the Minister for Justice & Equality.
- (11) Perform any other functions conferred by the Act or by regulations made under it.

3. Functions of the Complaints Committee

Under Part 6 of the 2015 Act, the LSRA shall establish a committee, known as the Complaints Committee for the purpose of considering and investigating complaints.

Once established, the Complaints Committee will consider and investigate complaints against legal practitioners referred to it by the Authority, make determinations in relation to complaints where appropriate and make applications to the Legal Practitioners Disciplinary Tribunal (LPDT) in matters of misconduct where appropriate.

The Complaints Committee will be appointed by the Legal Services Regulatory Authority and will consist of 27 members of whom 8 shall be nominated by the Law Society, 4 shall be nominated by the Council of the Bar of Ireland and 15 shall be lay persons appointed by the Authority through this process.

The Complaints Committee will act in divisions of not less than three members and not more than 5 members. These are referred to as "Divisional Committees".

Each Divisional Committee shall consist of an uneven number of members and will have a majority of lay persons. The chairperson of each Divisional Committee shall be one of the lay members of that Divisional Committee.

4. Person Specification

The Legal Services Regulatory Authority invites applications from suitably qualified and experienced candidates for appointment to one of the lay member positions on the Complaints Committee panel.

In appointing lay persons to be members of the Complaints Committee, the Authority must be satisfied that those members are independent of the professional bodies as defined by the 2015 Act i.e. the Law Society, the Honorable Society of King's Inns and the Council of the Bar of Ireland.

"Lay person" is defined under section 2(3) of the 2015 Act as follows:

"For the purposes of this Act, a person is a lay person on a particular date if, on that date, he or she-

- (a) is not a practising solicitor or a practising barrister, and*
- (b) where he or she has previously been a practising solicitor or a practising barrister, he or she-*
 - (i) has not been such in the period of 5 years immediately preceding that date, and*
 - (ii) did not cease to be such as a result of a sanction imposed on him or her by a body that was authorised to require him or her to cease such practice."*

All candidates must meet the definition of a lay person at the time of application and throughout their tenure as lay members of the Complaints Committee.

All candidates must also demonstrate knowledge in or expertise of, at an appropriately senior level, one or more of the following:

- the provision of legal services,
- the maintenance of standards in a profession (including those regulated by a statutory body),
- the investigation and consideration of complaints relating to services, or
- the interests of consumers of legal services.

5. Term of Appointment

A member of the Complaints Committee shall hold office for a period of 4 years from the date of appointment and be eligible for reappointment as a member provided that he or she does not hold office for periods the aggregate of which exceeds 8 years.

6. Submitting your Application

Applications (including a CV and cover letter) should be made electronically by e-mail to recruit@lsra.ie

Candidates must be legally entitled to work in Ireland at the time of application.

Closing date for applications is 3pm Friday 9 August 2019.

An Assessment Panel (the "Panel") will be convened by the LSRA to consider and assess the applications received.

The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
 - I. Consideration of the written applications;
 - II. and/or interview/meeting/conference call; and/or
 - III. Referee checks; and/or
 - IV. Any other selection or verification method deemed appropriate.
- arrive at a shortlist of the most suitably qualified candidates (based on the information provided by the candidate) to be appointed by the Authority.

Please note that the LSRA will not be responsible for any expenses incurred by candidates as part of our selection process.

7. Travel and Subsistence

Travel and Subsistence expenses can be claimed for expenses incurred for travelling to meetings in accordance with the relevant Department of Public Expenditure & Reform circulars.

8. Confidentiality

Subject to the provisions of the Freedom of Information Acts, 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

9. Data Protection

The LSRA will process any personal data provided by you in connection with an application for this role in accordance with the General Data Protection Regulation and the Data Protection Acts 2018.

The data will be kept for no longer than is necessary for the purposes for which that data are processed, and it shall be kept in a manner that ensure appropriate security of the data including the unauthorised or unlawful processing of data.

If your application is successful for the role as external member on the Audit, Risk and Governance committee, then your personal data will continue to be processed in accordance for the specified reason of committee membership and your data will not be held longer than is necessary.

The LSRA may disclose the data that you provided on the application form to external sources for the following reasons – where there is an external assessor assisting in the shortlisting for the vacancy on the committee to which you have applied, and to internal and external auditors.

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