

LSRA Strategic Plan Survey

Fields marked with * are mandatory.



An tÚdarás Rialála
Seirbhísí Dlí

Legal Services
Regulatory Authority

The LSRA is the independent statutory body tasked with regulating the provision of legal services by solicitors and barristers.

It works to encourage an independent, strong and effective legal profession, ensure the maintenance and improvement of standards in legal services provision, and promote and protect the public interest including the interests of consumers.

The LSRA is set to publish its third Strategic Plan later this year. In developing its new Strategic Plan, the Authority would appreciate your views to assist in identifying strategic priorities.

Your feedback is provided on an anonymous basis and individual respondents will not be identifiable.

The survey should take no more than 5 minutes to complete.

We thank you in advance for your engagement with the survey.

* 1. Please select an option that best describes you or your organisation.

- Legal practitioner or firm
- Representative body
- Academic or academic institute

- Non-governmental organisation
- Statutory body or agency
- Government department
- Member of the public
- Other

2. What key changes in the legal services landscape in the years up to 2025 would enable you to judge that the LSRA's Strategy has been a real success?

The Citizens Information Board (CIB) - as a nominating body of the Authority - welcomes this opportunity to provide input to the third LSRA Strategic Plan. Access to justice and legal services continues to be a core element of the work that CIB delivery services provides to clients. These services include the Citizens Information Services (CISs), the Citizens Information Phone Service (CIPS), the Money Advice and Budgeting Service (MABS) and the National Advocacy Service (NAS) for people with disabilities. The CIB has contributed to the funding of the Free Legal Advice Centres (FLAC) to provide information and advice on legal matters to the public and is a member of the Consultative Panel of the Legal Aid Board (LAB). In addition, CIB collaborates with MABS, LAB and the Insolvency Service of Ireland (ISI) on Abhaile, the national mortgage arrears resolution service.

During 2021, CISs dealt with almost 20,000 justice related queries, with the key focus of these being legal aid and advice. In addition, services assisted clients with over 21,000 queries under the Birth, Family and Relationships category – with the majority relating to family relationships and covering issues such as separation and divorce, custody and access to children, maintenance, problems with relationships and domestic violence. Services also dealt with 39,000 employment rights queries and made almost 10,000 referrals to legal services, clinics or mediation services during 2021.

Feedback from CIS and MABS staff indicates that central to most of these interactions is the issue of access to justice in a timely and cost-effective manner.

In the coming years, the removal of the barriers to accessing justice will have to be addressed within the broader parameters of the recently commenced review of the civil legal aid and advice system and the development and promotion of further pathways to information, advocacy and alternative resolution mechanisms. Within this context, CIB welcomes the recent publication of the Implementation Plan on Civil Justice Efficiencies and Reform Measures (arising from the Peter Kelly Report, 2020) which sets out a range of ambitious objectives for the reform of civil law in the state.

This Implementation Plan, in conjunction with a broad civil justice reform programme from the Department of Justice, is likely to have a significant impact on the work of many stakeholders and should inform the strategic priorities of the Authority in the coming years.

In this context, we would expect that by 2025 those who are seeking legal services will experience the benefits of easier, cheaper and quicker access to civil justice for all, or more specifically:-

- Increased awareness of their options in relation to legal services, the associated costs and the role of LSRA in processing complaints alleging inadequate standards, excessive costs or misconduct.
- Increased access to a revised and well-resourced Civil Legal Aid Scheme – particularly for those on low income – which is widely promoted and advertised.
- A reformed, more efficient and user-friendly family justice system (as provided for in the current Family Court Bill, which aims to set up a dedicated family court within the existing court structures) and an accompanying national family justice strategy – the first of its kind.
- Increased access to well-resourced mediation and Alternative Dispute Resolution mechanisms, particularly in relation to family law matters which currently account for more than half of legal aid applications.
- Increased accessibility for all consumers to the variety of services that are available within the Irish legal landscape.

3. What do you think are the key opportunities as well as the barriers / obstacles to achieving progress towards promoting competition in the provision of legal services and protecting and promoting the interests of consumers?

Given the feedback from our delivery services relating to the experiences of clients in seeking information and assistance on justice matters, CIB has a particular interest in promoting and protecting the interests of consumers of legal services.

As noted previously, the feedback received in the many thousands of queries dealt with by CIS and MABS staff on an annual basis indicates that access to justice is the key issue affecting clients. The specific barriers identified by services include:-

- a lack of awareness of legal rights, responsibilities and services. CIB delivery services and www.citizensinformation.ie play an important role in raising awareness and directing people but more needs to be done to educate the public and to provide more self-directed options and information about alternatives.
- access and eligibility for civil legal aid. Despite continued investment, demand for civil legal aid continues to outstrip supply. Eligibility for civil legal aid is complex and income thresholds have not kept pace with inflation or changes to the social welfare code, resulting in many on low incomes not being eligible.
- awareness of, and access to, Alternative Dispute Resolution mechanisms (such as advocacy and mediation). As with civil legal aid, demand exceeds supply and delays are common, particularly so in the aftermath the various pandemic measures since 2020. It is likely that the increasing delays in the courts system arising from Covid-19 will require a greater resourcing of mediation and other alternative dispute resolution mechanisms.
- complex and technical terminology, processes and procedures for courts as well as physical accessibility and modes of communication can make access to justice particularly difficult for some sectors of society – in particular for people with disabilities, new communities and ethnic minorities, Travellers, people in debt, victims of domestic violence, families and children.

Given that one of the Authority's functions under the Legal Services Regulation Act 2015 is the promotion of public awareness and the dissemination of information in respect of legal services, it would follow that it has a role to play in proactively promoting the continuum of services within the Irish legal landscape. This includes the civil legal aid system, the role of intermediaries (such as FLAC, Community Law and Independent Law Centres), mediators and alternative dispute resolution mechanisms, advocates and court advisors, court processes and procedures, and legal rights and entitlements.

Such promotion and awareness work could be undertaken in conjunction with other bodies (such as LAB, FLAC, and the Courts Service) and is likely to take on increased importance as the variety of scheduled reforms come to pass within the coming years, as new schemes, processes and procedures are developed. CIB and our delivery services could also play a role here in developing mechanisms for the dissemination of information to the public in conjunction with the Authority, over-and-above the current referrals system for complaints and the signposting of LSRA services on citizensinformation.ie. The partnership approach by which CISs nationwide work with FLAC, the Office of the Ombudsman and specialist housing agency, Threshold, could serve as useful models for collaboration.

4. What do you think are the key opportunities as well as the barriers / obstacles to achieving progress towards encouraging an independent, strong and effective legal profession with high standards of professionalism and integrity?

The expected commencement of the Assisted Decision Making (Capacity) Act 2015 in the latter part of 2022 will have specific implications with regard to the legal requirements in relation to supported decision-making. This will impact on the approach to client casework with vulnerable adults, and adults at risk, by lawyers contracted under its various schemes. The Authority will have to recognise its role in ensuring that legal practitioners are trained and competent in communicating with vulnerable adults and people with an intellectual disability.

There would also appear to be scope for collaboration with the Legal Aid Board (LAB) in respect of developing best practice guidelines by LAB solicitors and private solicitors engaged by the LAB.

From the perspective of developing broader measures to enhance accessibility for consumers, the Authority could look to the development of easy-to-read guides and FAQ briefs (in print and on-line) which illustrate common legal problems and possible solutions.

Educating for diversity and social inclusion and mirroring the communities in which the justice system operates is fundamental to a fair and just system. Accessible services need to be available that enable diverse communities to access justice such as interpretation and translation, Irish Sign Language and assistive technology, as well as the use of Plain English, gender-neutral forms and language.

Another practical option could be the development of online self-help options (such as that provided in the Dutch system) which offer interactive decision-trees to help people assess their situation and signpost them to the most appropriate supports and services.

As the feedback from CIS and MABS staff indicates that access to justice is a central issue for clients, it would seem that there is a need for research on unmet civil legal aid in Ireland and its consequences - for example, the human and financial consequences of delayed legal aid and the impact on asserting rights. In seeking to develop its research function, the Authority could prioritise this work in its new three year strategy in the context of the current review of the Civil Legal Aid Scheme.

5. Would you like to add anything?

As highlighted previously, the experience of CIB in relation to justice and legal issues is a relatively discreet but core element of the work with many thousands of clients across a range of services each year. The feedback from CISs and MABS points to a lack of awareness amongst clients in relation to their legal rights and the services that are available. In the first instance, the experience of our delivery services shows that access to high quality information and advice makes people aware of options, and helps them to identify pathways to legal services.

Many of those who seek assistance in CISs and MABS each year can experience multiple issues with a legal dimension relating to debt, social welfare, employment, discrimination, housing or family law. While we believe that the information, advice and advocacy services that are provided by CISs and MABS have a key role to play in supporting people to uphold their rights, there are circumstances where access to legal advice, and legal representation, is necessary to ensure a fair balance between the client and the other party who may have, as a matter of course, engaged legal representation.

The planned reforms within the Irish legal landscape in the coming years will provide a unique opportunity to improve access, modernise the courts system and open up professional legal education. Anticipating these changes and maximising the leverage that the Authority has within the context of the reforms will be a key challenge during the lifetime of this Strategy.

Contact

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