

Legal Services Council Strategic Plan 2021-2022

Our Strategic Plan articulates the strategies that the Legal Services Council (Council) will focus on during 2022, consistent with our role, goals and objectives and our commitment to working with our key stakeholders in the Legal Profession Uniform Law (Uniform Law) scheme.

Our Role

The Council and Commissioner for Uniform Legal Services Regulation (Commissioner) oversee the operation of the Uniform Law scheme – a regulatory framework to promote the efficient administration of justice and an effective Australian legal profession. The Uniform Law has applied to legal practitioners in New South Wales (NSW) and Victoria since 1 July 2015. With the passing in Victoria on 17 September 2019 of the *Legal Profession Uniform Law Application Amendment Act 2019* (Vic), Western Australia (WA) is expected to join the scheme on 1 July 2022.

Our Vision

Our vision is to achieve uniform regulation of a national legal profession and legal services in Australia, to meet community needs and to balance the interests of the legal profession with the protection of clients of law practices.

Goals

- 1 Achieve national implementation of the Uniform Law
- 2 Ensure that the Uniform Law is a responsive regulatory regime for the legal profession in Australia
- 3 Build awareness of the benefits of the Uniform Law
- 4 Continue to administer a well-governed organisation

Objectives of the Council

The objectives of the Council are to:

- monitor the implementation of the Uniform Law and ensure its consistent application across participating jurisdictions
- ensure that the Uniform Law remains efficient, targeted and effective, and promotes the maintenance of high professional standards
- ensure that the Uniform Law appropriately accounts for the interests and protection of the clients of law practices

Objectives of the Commissioner

The objectives of the Commissioner are to:

- promote compliance with the requirements of the Uniform Law and the Uniform Rules
- ensure the consistent and effective implementation of the provisions of Chapter 5 of the Uniform Law and supporting Uniform Rules, through the development and making of appropriate guidelines
- raise awareness of the Uniform Law and its objectives

Our Stakeholders

Our close partnerships and collaborative working relationships in NSW, Victoria and WA, with their respective Departments of Justice, local regulatory authorities, professional associations, consumer groups and members of the legal profession, have been and continue to be critical to our success.

Strategies supporting Goals

1. Achieve national implementation of the Uniform Law

- 1.1 Work with the Standing Committee and Departments of Justice in NSW, Victoria and WA to achieve national implementation
- 1.2 Continued engagement with the participating jurisdictions to collaborate on the operation of the Uniform Law
- 1.3 Continued engagement with the non-participating jurisdictions to understand their perspectives, address any issues and to promote the Uniform Law
- 1.4 Support WA joining the Uniform Law scheme

2. Ensure that the Uniform Law scheme is a responsive regulatory regime for the legal profession in Australia

- 2.1 Ensure the Uniform Law remains an effective regulatory regime
- 2.2 Recommend Uniform Law changes, as appropriate
- 2.3 Recommend Uniform Law Rules and Guidelines changes, as appropriate
- 2.4 Undertake Uniform Law projects
- 2.5 Support the Admissions Committee

3. Build awareness of the benefits of the Uniform Law

- 3.1 Provide stakeholders, legal practitioners and consumers with timely and accurate information about the Uniform Law scheme
- 3.2 Enhance the profile of the Council and the Admissions Committee in the legal profession
- 3.3 Promote the Uniform Law scheme in non-participating jurisdictions
- 3.4 Identify, develop and realise opportunities to raise awareness of the Uniform Law scheme

4. Continue to administer a well-governed organisation

- 4.1 Support the Council and the Audit and Risk Committee
- 4.2 Comply with statutory reporting requirements
- 4.3 Review and implement the Council's governance and business arrangements
- 4.4 Foster a productive and collegiate workplace

Our Strategic Plan

Goal 1 Achieve national implementation of the Uniform Law	Responsible person	Timing
1.1 Work with the Standing Committee and Departments of Justice in NSW, Victoria and WA to achieve national implementation		
Standing Committee <ul style="list-style-type: none"> - Meetings and six monthly reports - Annual Reports NSW and Victorian Departments of Justice <ul style="list-style-type: none"> - Meetings and regular liaison about policy matters and expansion of the Uniform Law scheme 	CEO/Commissioner & Secretariat	Ongoing
1.2 Continued engagement with the participating jurisdictions to collaborate on the operation of the Uniform Law		
<ul style="list-style-type: none"> - Regular liaison with designated local regulatory authorities 	CEO/Commissioner & Secretariat	Ongoing
1.3 Continued engagement with the non-participating jurisdictions to understand their perspectives, address any issues and promote the Uniform Law		
<ul style="list-style-type: none"> - Regular liaison with non-participating jurisdictions and stakeholders 	CEO/Commissioner & Secretariat	Ongoing
1.4 Support WA joining the Uniform Law scheme		
<ul style="list-style-type: none"> - Regular liaison with the WA Solicitor General - Regular liaison with the WA, NSW and Victorian Departments of Justice - Liaison with the Legal Practice Board of WA, the Law Society of WA and the WA Bar Association 	CEO/Commissioner & Secretariat	Ongoing

Goal 2 Ensure that the Uniform Law scheme is a responsive regulatory regime for the legal profession in Australia	Responsible Person	Timing
2.1 Ensure the Uniform Law remains an effective regulatory regime		
2.2 Recommend Uniform Law changes, as appropriate		
<p>Managed Investment Schemes</p> <ul style="list-style-type: none"> - Finalise the Managed Investment Scheme Rules Review project <p>First Priority Amendments to the Uniform Law</p> <ul style="list-style-type: none"> - Finalise the First Priority Uniform Law Amendments project <p>Royal Commission into the Management of Police Informants</p> <ul style="list-style-type: none"> - Consider any amendments to the Uniform Law proposed by the Victorian Government 	CEO/Commissioner & Secretariat	2022
2.3 Recommend Uniform Law, Rules and Guidelines changes, as appropriate		
<p>Australian Solicitors' Conduct Rules (ASCR)</p> <ul style="list-style-type: none"> - Review the Law Council of Australia's proposal to update the ASCR and to harmonise relevant rules with the Bar Rules <p>Indexation Uniform General Rule</p> <ul style="list-style-type: none"> - Update and publish indexation amounts <p>First Priority Amendments to the Uniform Rules</p> <ul style="list-style-type: none"> - Finalise the First Priority Amendment project in relation to the Uniform Rules <p>Litigation funding schemes</p> <ul style="list-style-type: none"> - Make the interim Legal Profession Uniform Amendment (Litigation Funding Schemes) Rule 2020 an ongoing rule <p>Interest rate payable on fidelity fund claims</p> <ul style="list-style-type: none"> - Review interest rate payable on fidelity fund claims <p>Barristers Conduct Rules</p> <ul style="list-style-type: none"> - Consider amendments to rules 123 and 125 proposed by the Australian Bar Association <p>Definition of "Board" in Admission Rules</p> <ul style="list-style-type: none"> - Include the Legal Practice Board of WA in the definition of "Board" <p>Conditional costs agreements</p> <ul style="list-style-type: none"> - Consider expanding categories of proceedings in which conditional costs agreements are prohibited 	LSC/CEO	2022

2.4 Undertake Uniform Law projects		
Uniform Law Data Sharing Project - Monitor and review the effectiveness of reports from the Uniform Law database Australian Legal Profession Register Project - Maintain an electronic register of legal practitioner details in the Uniform Law jurisdictions External Examiners Course - Complete a review of the External Examiners Course	CEO/Commissioner & Secretariat	2022
2.5 Support the Admissions Committee		
2.5.1 Assist the Admissions Committee to review the Uniform Admission Rules		
- Progress proposed amendments relating to the admission of foreign lawyers - Consider implications of the Solicitors Qualifying Examination for admission in Australia of lawyers from England and Wales	CEO/Commissioner & Secretariat	2022
2.5.2 Provide policy, technical and administrative support		
- Support the Admissions Committee and its appointments, including three meetings per year - Provide secretariat support for Law Admissions Consultative Committee	CEO/Commissioner & Secretariat	Ongoing
Goal 3 Build awareness of the benefits of the Uniform Law	Responsible Person	Timing
3.1 Provide stakeholders, legal practitioners and consumers with timely and accurate information about the Uniform Law scheme		
- Regularly update the Council website and advise stakeholders of Uniform Law developments	CEO/Commissioner & Secretariat	Ongoing
3.2 Enhance the profile of the Council and the Admissions Committee in the legal profession		
- Engage with the legal profession to discuss the role of the Council and Admissions Committee - Regular meetings with stakeholders to discuss the Council, Admissions Committee and the Uniform Law	CEO/Commissioner & Secretariat	Ongoing
3.3 Promote the Uniform Law scheme in non-participating jurisdictions		

- Engage and consult with stakeholders in non-participating jurisdictions about joining the Uniform Law scheme	CEO/Commissioner & Secretariat	Ongoing
3.4 Identify, develop and realise opportunities to raise awareness of the Uniform Law scheme		
Strategies include: - Use Council website to consult and advise of Uniform Law developments - Publish a Council quarterly newsletter - Monitor media regarding the Uniform Law	CEO/Commissioner & Secretariat	Ongoing
Goal 4 Continue to administer a well-governed organisation	Responsible Person	Timing
4.1 Support the Council and the Audit and Risk Committee		
4.1.1 Legal Services Council		
- Convene five Council meetings per year - Undertake policy development and implementation - Provide administrative support	CEO/Commissioner & Secretariat	Ongoing
4.1.2 Audit and Risk Committee		
- Convene three meetings per year - Follow the Audit and Risk Committee annual plan - Review and recommend a triennial budget to the Council	CEO/Commissioner & Secretariat	Annually
4.2 Comply with statutory reporting requirements		
- Publish Annual Reports for the Council and Commissioner - Monitor and review the Council triennial budgets - Comply with NSW Audit Office requirements and NSW applied statutes	CEO/Commissioner & Secretariat	Annually
4.3 Review and implement the Council's governance and business arrangements		
- Annual review and update of Council's governance documents - Monitor the Corporate Services Agreement arrangements	CEO/Commissioner & Secretariat	Annually
4.4 Foster a productive and collegiate workplace		

4.4.1 Encourage effective teamwork and staff development		
<ul style="list-style-type: none"> - Encourage effective teamwork and staff development - Implement performance appraisal process including staff training/development 	CEO/Commissioner & Secretariat	Ongoing