

Strategic Plan 2023-24

The Legal Services Council and the Commissioner for Uniform Legal Services Regulation are established by the Legal Profession Uniform Law – the statutory framework for legal profession regulation which applies in New South Wales, Victoria and Western Australia.

The Council and Commissioner aim to promote the administration of justice by facilitating a uniform regulatory framework for the Australian legal profession which is applied consistently to maintain professional standards and provide efficient, effective and targeted protection for consumers.

Goals

The goals of the Council and Commissioner are:

1. consistency in regulation under the Uniform Law in the context of a common Australian legal services market
2. regulation which is efficient, effective and targeted for consumers and the legal profession
3. increased awareness of the Uniform Law and its adoption in non-participating jurisdictions.

Objectives

The Uniform Law sets out its objectives, as well as the objectives of the Council and Commissioner, as follows:

- The objectives of the Uniform Law are to promote the administration of justice and an efficient and effective Australian legal profession, by:
 - providing and promoting interjurisdictional consistency in the law applying to the Australian legal profession
 - ensuring lawyers are competent and maintain high ethical and professional standards in the provision of legal services
 - enhancing the protection of clients of law practices and the protection of the public generally
 - empowering clients of law practices to make informed choices about the services they access and the costs involved
 - promoting regulation of the legal profession that is efficient, effective, targeted and proportionate
 - providing a co-regulatory framework within which an appropriate level of independence of the legal profession from the executive arm of government is maintained.
- The objectives of the Council are to:
 - monitor the implementation of the Legal Profession Uniform Law and ensure its consistent application across participating jurisdictions
 - ensure that the Legal Profession Uniform Framework remains efficient, targeted and effective, and promotes the maintenance of professional standards
 - ensure that the Legal Profession Uniform Framework appropriately accounts for the interests and protection of clients of law practices.

- The objectives of the office of Commissioner are to:
 - promote compliance with requirements of the Uniform Law and the Uniform Rules
 - ensure the consistent and effective implementation of the provisions of Chapter 5 and supporting Uniform Rules, through the development and making of appropriate guidelines
 - raise awareness of the Legal Profession Uniform Framework and its objectives.

Functions

The Council and Commissioner have important statutory functions, for example:

- developing, being consulted on, and making Uniform General Rules, Admission Rules, Conduct Rules, Practice Rules and Continuing Professional Development Rules
- monitoring and promoting consistency in the exercise of functions by local regulatory authorities including by issuing guidelines and directions about the exercise of those functions
- establishing and supporting Committees of the Council, currently the Admissions Committee and the Audit and Risk Committee
- maintaining the Australian Legal Profession Register and registers of delegations
- functions in relation to external examiners
- indexation of specified amounts
- reporting to the Standing Committee of Attorneys General
- legislative compliance functions, including under the:
 - *Government Sector Audit Act 1983* (NSW)
 - *Government Sector Finance Act 2018* (NSW)
 - *Privacy and Personal Information Protection Act 1998* (NSW)
 - *Government Information (Public Access) Act 2009* (NSW), and
 - *State Records Act 1998* (NSW).

Stakeholders

The Council and Commissioner work closely with stakeholders in the Uniform Law jurisdictions including:

- local regulatory authorities
- government departments and the Standing Committee of Attorneys General
- professional associations
- courts and tribunals, and
- those who work with consumers.

This includes providing opportunities for information to be shared with, and between, stakeholders.

The Council and Commissioner consult and engage with stakeholders in the non-participating jurisdictions and help new entrants transition into the Uniform Law scheme.

The Secretariat supports the Law Admissions Consultative Committee and participates in the national regulators' network and Conference of Regulatory Officers.

Priority projects

Consistent with the goals, objectives and functions set out above, the Council has identified its priority projects as at July 2023. Other priorities may emerge, and the ongoing work of the Council will continue.

Costs disclosure thresholds review	Goals 1, 2 and 3
<p>The Council will receive the final report of the costs disclosure thresholds review during the second half of 2023. Recommendations may relate to:</p> <ul style="list-style-type: none"> ○ the costs disclosure thresholds ○ the standard costs disclosure forms and information sheets ○ the exception to disclosure for commercial and government clients ○ the guidelines and directions on costs estimates issued by the Council and Commissioner, and ○ certain aspects of record keeping in relation to costs disclosure documents. <p>Further work will be needed to implement any recommendations adopted by the Council.</p>	
Foreign lawyers	Goals 1, 2 and 3
<p>The Admissions Committee is working on proposed amendments to the Admission Rules relating to foreign lawyers and is considering issues arising in relation to conditional admission.</p>	
Non-participating jurisdictions	Goals 1 and 3
<p>The Council will continue to explore the expansion of the Uniform Law scheme to new jurisdictions.</p>	
Australia-UK Free Trade Agreement	Goals 1, 2 and 3
<p>The Council and the Admissions Committee, working with the Law Admissions Consultative Committee, will participate with the Law Council of Australia in the Legal Services Regulatory Dialogue.</p>	
Uniform Law amendments	Goals 1 and 2
<p>The Council will continue to work on proposals for amendment of the Uniform Law following the consultation undertaken in 2020.</p>	
Data project	Goals 2 and 3
<p>Subject to other priorities, the Council's database and other data collection practices will be reviewed.</p>	