

Legal Services Council Strategic Plan 2021

Our Strategic Plan articulates the strategies that the Legal Services Council (LSC) will focus on during 2021, 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 LSC 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 2021.

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 LSC 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 LSC 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 LSC and the Audit and Risk Committee
- 4.2 Comply with statutory reporting requirements
- 4.3 Review and implement the LSC'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"> - Undertake public consultation on the relevant recommendations made by the Royal Commission - Recommend any changes to the Uniform Law 	CEO/Commissioner & Secretariat	2021
2.3 Recommend Uniform Law, Rules and Guidelines changes, as appropriate		
<p>Australian Solicitors' Conduct Rules (ASCRs)</p> <ul style="list-style-type: none"> - Review the Law Council of Australia's proposal to update the ASCRs 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"> - Undertake public consultation on the interim Legal Profession Uniform Amendment (Litigation Funding Schemes) Rule 2020 <p>Interest rate payable on fidelity fund claims</p> <ul style="list-style-type: none"> - Review interest rate payable on fidelity fund claims 	LSC/CEO	2021 Annually 2021 2021 2021
2.4 Undertake Uniform Law projects		
<p>Uniform Law Data Sharing Project</p> <ul style="list-style-type: none"> - Monitor and review the effectiveness of reports from the Uniform Law database <p>Australian Legal Profession Register Project</p> <ul style="list-style-type: none"> - Develop an electronic register of legal practitioner details in the Uniform Law jurisdictions <p>External Examiners Course</p>	CEO/Commissioner & Secretariat	2021

- Complete a review of the External Examiners Course		
2.5 Support the Admissions Committee		
2.5.1 Assist the Admissions Committee to review the Uniform Admission Rules		
- Admission of foreign lawyers - Removal of the word “fame” from the Uniform Admission Rules	CEO/Commissioner & Secretariat	2020
2.5.2 Provide policy, technical and administrative support		
- Manage Admission Committee appointments, three meetings per year and support members - Provide secretariat support for Law Admissions Consultative Committee including three meetings per annum	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 LSC website to reflect Uniform Law developments and advise stakeholders of Uniform Law developments	CEO/Commissioner & Secretariat	Ongoing
3.2 Enhance the profile of the LSC and the Admissions Committee in the legal profession		
- Engage with the legal profession to discuss the role of the LSC and Admissions Committee - Regular meetings with stakeholders to discuss the LSC, 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 LSC website to consult and advise of Uniform Law developments - Publish a LSC 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 LSC and the Audit and Risk Committee		
4.1.1 Legal Services Council		
<ul style="list-style-type: none"> - Convene five LSC meetings per year - Undertake policy development and implementation - Provide administrative support 	CEO/Commissioner & Secretariat	Ongoing
4.1.2 Audit and Risk Committee		
<ul style="list-style-type: none"> - Convene a minimum of three meetings per year - Follow the ARC annual plan - Review and recommend a triennial budget to the LSC 	CEO/Commissioner & Secretariat	Annually
4.2 Comply with statutory reporting requirements		
<ul style="list-style-type: none"> - Publish Annual Reports for the LSC and Commissioner - Comply with NSW Audit Office requirements and NSW applied statutes 	CEO/Commissioner & Secretariat	Annually
4.3 Review and implement the LSC's governance and business arrangements		
<ul style="list-style-type: none"> - Annual review and update of LSC's governance documents - Monitor the Corporate Services Agreement arrangements 	CEO/Commissioner & Secretariat	Annually Ongoing
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