

David Edmonds
Chairman
Legal Services Board
Victoria House
Southampton Row
London WC1B 4AD

The logo for the Legal Services Consumer Panel is located in the top right corner. It consists of a large blue circle on the left and a blue rectangular area on the right. Inside the rectangle, the words "LEGAL SERVICES CONSUMER PANEL" are written in white, uppercase, sans-serif font, stacked vertically.

LEGAL
SERVICES
CONSUMER
PANEL

14 June 2010

Dear David,

Regulatory Independence Certificates


On 11 June, the Legal Services Board published on its website the Regulatory Independence Certificates submitted by the Applicable Approved Regulators. I was deeply disappointed to see that three bodies – The Law Society, CIPA and ITMA – have still to submit their certificates a full six weeks after the end of April submission deadline.

The Internal Governance Rules are an essential building block of the reform agenda, underpinning public confidence that regulatory decisions will be taken in the public interest, rather than sectional interests. The LSB set the deadline for this documentation as far back as December last year, which gave more than enough time for these bodies to respond. That they have failed to do so hardly breeds confidence in their existing governance arrangements.

The Panel will now examine the completed certificates for their impact on consumers with care. We are likely to pay particular attention to the requirement for regulatory boards to have a majority of lay members, an area where change in the current composition of these structures will be necessary in order to achieve compliance. The Panel would find it unacceptable if the front-line regulators were simply to wait for the terms of their current board members to expire, as the Bar Council has indicated in its certificate. In the case of The Law Society, this would mean that the Solicitors Regulation Authority would not have a majority of lay members until 2013 – six years after the passage of the Legal Services Act.

On behalf of the Panel, I urge the Board to show strength on this important issue. It must not tolerate any further slippage in the implementation timetable, nor allow any watering down of the lay majority requirement.

Yours sincerely

A handwritten signature in black ink that reads "Dianne Hayter".

Dianne Hayter

Dr Dianne Hayter
Chair