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LEGAL 'QUALITY MARKS' NEED STRENGTHENING BEFORE CONSUMERS CAN USE THEM WITH CONFIDENCE

A new report by the Legal Services Consumer Panel is calling on operators of 'voluntary quality schemes' and regulators to take action to ensure that consumers can use quality marks with confidence when buying legal services.

13 schemes were assessed against a wish list of 10 characteristics that each should meet in order to satisfy consumers that lawyer members are genuine specialists. They included the Conveyancing Quality Scheme and other Law Society accreditation panels, and similar schemes run by professional associations working in areas such as personal injury, family law and will-writing.

The report found that most schemes do well in relation to internal-processes, such as entry requirements, re-accreditation and disciplinary arrangements. However, there are a series of key areas where schemes need strengthening:

- More use of methods, such as spot checks of client files, to check members remain competent during their careers;
- Greater lay input;
- Better information provision for consumers; and
- Building evidence to validate claims that schemes are delivering on their objectives of helping consumers to identify expert legal advice.

The report warns that membership of schemes should not become mandatory to access part of the market as this could usurp the role of regulators. It also urges scheme operators and regulators to consider the need for independent accreditation as consumers are looking for a seal of approval from a trusted source.

Elisabeth Davies, chair of the Legal Services Consumer Panel, said:

"Consumers tell us that specialist expertise is important to them when choosing lawyers so voluntary quality schemes can be of real help. However, in their current form, some schemes' claims that their members are better than the market average just can't be relied upon by consumers.

"Even the best schemes will struggle to be accepted by consumers due to problems with quality marks in other parts of the economy that have dented

trust. We urge scheme operators and regulators to sit down with us to discuss whether independent accreditation of schemes would help to overcome this, allowing quality marks to have a greater influence on consumer choice.”

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For more information, contact Steve Brooker, Consumer Panel Manager, on 020 7271 0077. The full report is available on our website:

www.legalservicesconsumerpanel.org.uk

Notes to editors

1. The Legal Services Consumer Panel was established under the Legal Services Act 2007 to provide independent advice to the Legal Services Board about the interests of consumers of legal services in England and Wales. We investigate issues that affect consumers and use this information to influence decisions about the regulation of legal services. The Panel started work in November 2009.
2. The Legal Services Act ('The Act') provides for the creation of the Legal Services Board as the oversight regulator for legal services in England and Wales. The new regulatory regime enacted by the Act became fully active on 1 January 2010.
3. Voluntary quality schemes are an optional form of accreditation that lawyers can obtain to demonstrate they meet specific quality standards or have specialist expertise. Examples include the Law Society's accreditation panels and the Association of Personal Injury Lawyers' specialist accreditation.
4. The full report and the full assessment sheets for each selected scheme can be found on the Panel's website:
<http://www.legalservicesconsumerpanel.org.uk/ourwork/QualityAssurance.html>
5. The report follows a formal request for advice by the Legal Services Board made on 25 May 2011. The Legal Services Board's letter is also published on our website. The Panel was asked to:
 - a. Identify the characteristics that voluntary quality schemes must have to give consumers confidence that they are a robust and reliable indicator of a good legal services provider; and
 - b. Using these characteristics as criteria, measure a selection of existing schemes against them and provide a view about whether, as currently designed, each operates in a way which is likely to give consumers confidence in the quality of participating providers.