

Minutes

Legal Services Consumer Panel

Date: 29 October 2014
Time: 13.00 – 17:00
Venue: One Kemble Street, London WC2B 4AN

Present:

Elisabeth Davies	Chair
Michelle Goddard	Member
Frances Harrison	Member
Philip Marsden	Member
Catherine Wolthuizen	Member
Andy Foster	Member
Steve Brooker	Consumer Panel Manager
Harriet Gamper	Consumer Panel Associate
Crispin Passmore	Solicitors Regulation Authority (item 8)
Julie Myers	Legal Services Board
Meera Amin	Legal Services Board
Karen Afriyie	Legal Services Board

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('the Panel').
2. The Chair advised that Marlene Winfield, Cathy Gallagher and Ramandeep Bhatti had sent apologies.
3. The Chair welcomed Karen Afriyie and Meera Amin.
Karen has recently joined the administration team at the LSB and Meera has joined as a research analyst at the LSB.

Item 2 – Declaration of interests

4. No declarations.

Item 3 – Minutes of 29 October meeting

5. The Chair presented the minutes of the 29 September meeting.

The Panel approved the minutes of 29 September 2014, subject to correcting a typographical error in paragraph 18.

Item 4 – Matters arising

6. No matters arising.

Item 5 – EU Work

7. Frances Harrison introduced this item, which was for information and discussion.
8. The Panel discussed the changes within the European Commission and the new consumer profile, the landscape in the UK in relation to EU work, staff resource which is spent on EU work, possible impacts from implementation of the ADR Directive, and the learning to be gained from other organisations within the EU.
9. The Panel will make a decision on continued membership of BEUC at the January 2015 meeting.

Item 6 – 2020 Commission

10. Philip Marsden introduced this item. The Panel had a useful session with the LSB Board last month and the focus of this discussion was on how the Panel might maximise the impact of the project.
11. The Panel discussed communications, including the Legal Futures Conference on 18 November, where the report will be launched. There may also be opportunities to share the report with think tanks, and to feature in more mainstream media (such as Law in Action). The Panel may also consider holding workshops with stakeholders after publication to take forward ideas and solutions.

The Panel agreed to finalise the document subject to minor drafting changes and it will be published on 18 November.

Item 7 – Plans for December strategy day

12. The Panel need to plan for a new three-year strategic cycle as well as an annual work programme. The 2020 work and the LSB's new three-year strategy open up potential opportunities for a change of focus.
13. An external room has been booked for the away day, which will be an all day session.
14. The Panel discussed areas they would particularly like to focus on over the course of the day. These included:
 - 2020, with a tight focus on the top 3 priorities from the report
 - An analysis of our impact, including feedback from stakeholders
 - Changes that have taken place in the operational landscape
 - How we work together as a panel
 - How we gather intelligence

Item 8 – Guest speaker Crispin Passmore, Executive Director for policy, SRA

15. The Chair introduced Crispin Passmore, who gave an overview of the journey ahead for the SRA. The SRA is currently undergoing a number of changes including a new CEO and Chair, new personnel and a change of direction. Crispin focused on how consumers could become more active. He explained the SRA will publish a new strategy and business plan. He also put focus on how the needs of vulnerable users might be addressed. He discussed SRA policy around what happens when an individual or organisation makes a complaint or provides intelligence about a solicitor, and explained policies and procedures in this area are currently being overhauled. Crispin concluded by urging the Panel to be a loud voice in protecting the interests of consumers of legal services.
16. The Panel then discussed developments and asked a number of questions. How lawyers might have certainty in the absence of lengthy and specific rules was raised. Crispin was asked about the SRA's plans on open data and confirmed that a basic dataset will be published by Christmas, with an online register which comparison websites will be able to link to directly planned for the end of 2015. He also confirmed there will be a section in the SRA business plan on transparency. The Panel also discussed how complaints data might be better used and whether first-tier complaints data could be published.

The Panel thanked Crispin and noted the points raised in the presentation and discussion.

Item 9 – Chair's report

17. The Chair presented her report, covering recent meetings and speaking engagements.
18. The Chair highlighted the recent Legal Wales Conference in Bangor, where she spoke in a plenary session on consumer issues in legal services. The Panel's Wales booster sample in our tracker survey drew out some genuine differences between the experiences of consumers of legal services in England and those in Wales. The presentation also drew out a number of key themes from the 2020 report. The presentation was very well received. The Chair and Frances Harrison also visited Cardiff for the reception following the LSB Board meeting on 27 October and were able to follow up with a number of stakeholders.
19. The Chair and the Panel Manager also met with the Minister where the main focus of discussion was McKenzie Friends and unbundled legal services.
20. Richard Moriarty has been appointed as the new LSB CEO. Richard is currently Director of Regulation at Affinity Water and has a background in economic regulation, with previous positions at the Civil Aviation Authority and Postcomm.

The Panel noted the Chair's report and the additional updates.

Item 10 – Member's updates

21. This item was covering alongside the Projects Update.

Item 11 – Projects update

22. Catherine Wolthuizen updated the Panel on the Panel's guide to recognising and responding to consumer vulnerability. This has now been published, with a foreword from the British Standards Institute, and we are already receiving positive feedback on its usefulness.
23. The Panel Associate updated that she had been asked to make two presentations on the guide. One was to the Essential Services Access Network, where other regulators were particularly interested in how we had adapted the British Standard on Inclusive Service Provision and how the guide was being received. The other was the Vulnerability Forum, organised by the SRA, where third sector bodies were interested in hearing more about the guide and gave feedback on particularly important aspects. The SRA have asked the Panel to provide training to staff on using the guide.
24. Litigants in person – Simon Hughes MP has announced a £2m support package for litigants in person going to the Personal Support Units. This aims to increase the number of lay advisers in courts across the country and link claimants with pro bono lawyers. The Panel Manager attended an APPG facilitated by the Magistrates Association where Simon Hughes MP and Mr Justice Cobb were speakers.
25. The Panel Associate updated on an interesting 'Lunch and Learn' session which she organised with the founder of the Legal Beagles website. At the session the founder stressed the importance of our work to make the professional registers available in a reusable format and updated on her plans for the Legal Beagles website.
26. Cathy Gallagher had sent apologies but the Panel Associate updated in her place on developments in the quality workstream: Cathy and the Panel Associate attended a meeting with Resolution which was most useful, and we agreed to give feedback on Resolution's new complaints process which is now available on their website. Cathy also attended a workshop at the SRA on empowering consumers and the competence statement. The Panel Associate attended a useful meeting with AvMA where they shared good practices in relation to accreditation schemes.

The Panel noted the Projects update and the additional items raised.

Item 12 – Consultation responses

27. The Panel Associate presented a paper on recent and upcoming consultations.
28. After the papers were circulated the SRA issued its consultation on the *competence statement for solicitors*. The BSB issued a call for evidence on one narrow aspect of the cab rank rule but we expect a more wide-ranging consultation in the New Year, which we will likely respond to.

The Panel noted the live SRA consultations on *regulation of consumer credit activities* and the *competence statement for solicitors*.

Item 13 – Draft agenda for 28 January meeting

29. The Panel Manager presented the proposed agenda for 28 January 2015. There is a deliberate space on the agenda which is to be filled depending on external developments such as consultations.

The Panel agreed the proposed Agenda.

Item 14 – Any other business

None.