



## Minutes

### Legal Services Consumer Panel meeting

**Date:** 4 July 2018

**Time:** 13:00-17:00

**Venue:** One Kemble Street, London WC2B 4AN

#### Present:

Sarah Chambers	Chair
Adam Cooper	Member
Cathy Gallagher	Member
Frances Harrison	Member
Mark McLaren	Member
Marlene Winfield	Member
Michelle Goddard	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate

#### Item 1 – Welcome and apologies

1. The Chair welcomed members to her first Panel meeting. Apologies had been received from Andy Foster.

#### Item 2 – Declaration of interests

2. Adam Cooper said that he will be leaving the National Infrastructure Commission and will now join the Competition and Markets Authority (CMA).
3. Cathy Gallagher said that she is no longer an employee of Law Centres Network.

#### 4. Item 3 – Minutes of 25 April 2018 meeting

5. The Chair presented the minutes from 25 April 2018, which had been agreed via electronic correspondence.

**The Panel noted the minutes from 25 April 2018.**

#### Item 4 – Matters arising

6. The Chair presented the matters arising.

**The Panel noted the matters arising.**

- **Actions: Mark McLaren agreed to write the blog post on the impact of the housing market on consumers.**
- **Sarah Chambers agreed to write a blog post on complaints after the Panel's roundtable.**

#### **Item 5 – Chair's and Members' update**

7. The Chair provided the Panel with a verbal update on her recent meetings.
8. The Chair informed the Panel that she and the Panel Associate had a meeting with the Consumer Panel Chairs. The Chairs discussed their respective responses to the Department for Business, Energy & Industrial Strategy's (BEIS) consultation on Modernising Consumer Markets: Consumer Green Paper. One issue that was covered in detail was Alternative Dispute Resolution (ADR). There was an agreement to suggest one or two designated ADR providers per sector is sufficient, but that a multitude was unhelpful to consumers. The use of technology in delivery of services was also discussed. There was discussion of, and also of the various ways in which Panels operated with little resources. The Chairs agreed to meet again by October, hosted by Ofcom.
9. The Chair informed the Panel that she and the Panel Manager attended a meeting with the Chair of the Office for Legal Complaints and the Legal Ombudsman's (LeO) Chief Ombudsman. The Chair noted that it was a good introductory meeting. She also noted LeO offered to part fund a joint research of mutual relevance.

**The Panel noted the Chair's and Members update.**

#### **Actions:**

- **The Panel to identify areas for possible joint research with LeO. They should be linked to the Panel's Strategy and Consumer Impact Report.**

#### **Item 6 – Projects update**

10. The Panel Associate presented the projects update.
11. Regarding the Remedies Programme Implementation Group (RPIG) Panel members expressed concern about a possible gap in leadership when the CMA steps down from the group after July 2018.

**The Panel noted the projects update.**

#### **Item 7 – Consultation responses**

12. The Panel Associate presented the consultation updates. The Panel discussed the importance of the BEIS' Modernising Consumer Markets: Consumer Green Paper. The Panel agreed to add to the consultation response and suggested that the Consumer Forum should include individuals with experience in consumer advocacy and policy, such as one or more of the Chairs of the Consumer Panels from the regulated sectors.
13. Panel members and the Secretariat agreed to circulate consultation papers in advance of a first draft so that members can input early. The Chair agreed that this will be done based on the Secretariat's discretion and the relevance of the consultations.

**Actions:**

- **The Secretariat to amend the BEIS' consultation response.**
- **The Secretariat to circulate the CILEx Regulation consultation.**

**Item 8 – Internal Governance Regulation presentation**

14. The Chair welcomed Caroline Wallace, Strategy Director at the LSB and Bryony Sheldon, Project Manager at the LSB.
15. Caroline Wallace outlined the LSB's review of its Internal Governance Rules (IGR). Caroline said LSB would like to have IGR that are outcome focused. At the LSB Board meeting in June, the Board focused on what success should look like, and agreed further clarity was needed on boundaries and the nature of complaints. From the four options presented in the IGR consultation, a hybrid option of 2B/2C was preferred. The next phase of the IGR will be agreed at the July Board meeting.
16. There have been 20 disputes raised by Frontline Regulators (FR), and there are two live disputes at the moment. This shows the confusion of the separation of powers between the organisations.
17. Following a question from the Panel about the LSB's next steps if the new approach doesn't work, Caroline confirmed that legislation was unlikely in the current political climate. She also noted that the Government has asked the LSB to work within the framework set by the Legal Services Act 2007. When prompted about what other avenues the LSB is considering given the situation, Caroline said that the LSB is working with Professor Stephen Mayson, who is the UCL lead on a project looking at legislative reform in the legal sector.
18. The Chair thanked Caroline Wallace and Bryony Sheldon for their time.

**The Panel noted the LSB's presentation.**

**Item 9 - Solicitors working in the unregulated sector**

19. The Panel discussed the proposed changes for solicitors to be able to work in unauthorised firms, in light of the recent waivers granted by the SRA. The Panel recognised that solicitors are already authorised to work in charities, such as Citizens Advice, Which?, and Law Centres.
20. The Panel questioned the consumer protection element of the proposals and agreed to remain focused on the consumer interest/protection, specifically the need for adequate protection and compensation when things go wrong, the risk of increased confusion and a potential imbalance in risk between providers and consumers. Members also recognised concerns that vulnerable consumers may not understand the reduced redress in transactions with solicitors working in unauthorised firms in non-reserved activity. Members were assured that the points noted were raised in the consultation response to the SRA.

**Action:**

- **The Secretariat to circulate the SRA waiver report published in June 2018.**

- **The Panel should respond to the SRA's rule change application on the issue scheduled to be submitted at the end of July.**

#### **Item 10 – Tracker Survey update**

21. The Chair invited Panel Members to discuss the Tracker Survey report drafts and the infographics. The Panel had some questions relating to quality control and drafting by the research company, including procedures for sign off and the working group's role. All agreed that internal procedures for signing off the papers at working group level and at secretariat level needed to improve before final drafts are submitted to the full Panel.
22. The group welcomed the infographics and suggested minor amendments.

**Actions: The Tracker Survey Working Group and the Secretariat to have a final review of the reports and infographics before it is circulated to the Panel prior publication.**

#### **Item 11 – The Legal Choices presentation**

23. Jane Malcom, External relations Director at the SRA, and John Rieger, Head of Digital Communication at the SRA, gave an update to the Panel on the re-developments with the Legal Choices website.
24. Jane Malcom started by saying that the Legal Choices website is a channel for supporting consumers' understanding of the legal services market. It aims to empower them with knowledge and quality information. Jane Malcom added that Legal Choices is a place for users to find registers of lawyers, and perhaps the single register of all legal professionals and firms, as proposed by the CMA. She also presented the new structure of Legal Choices.
25. John Rieger outlined progress with re-building the website. He said the use of social media traffic has developed dramatically over the past 24 months. 75% of the website's traffic now comes from social media marketing. He confirmed that social marketing has proved effective. For example, social media push in 2016/17 increased the traffic by 162%. John Rieger also said that the monthly budget allocated to Legal Choices is roughly £1,000.
26. In terms of the next steps, Jane Malcom said that they are looking to:
  - undertake consumer research and develop the site
  - increase readability and accessibility, and improve usability
  - carry out significant online marketing campaigns
  - develop new digital products aimed at helping customers.
27. When the Panel asked about the challenges to make the content relevant to consumers Jane Malcom acknowledged the challenges, she said the website helps visitors understand difference in types of lawyers, PII and the importance of regulation.
28. Jane Malcom noted that Citizens Advice is the largest referral body to the Legal Choices website.
29. John Rieger said that the long term plan is to use the analytics of the website to segment users better, and tailor content to match the demography, as well as develop profiles covering all types of audience.
30. The Chair thanked Jane Malcom and John Rieger for their time.

**The Panel noted the SRA's presentation.**

**Item 12– Draft agenda for 26 September 2018**

31. The Chair presented the draft agenda for the 26 September meeting. Panel members said three presentations would not leave enough room to process all the information and decided to focus on the MoJ and the SRA presentation.

**In line with amendments the Panel agreed the draft agenda.**

**Item 13 – Any other business**

**Actions: The Panel Associate to circulate possible 2019 Panel meetings dates.**