

## Minutes

### Legal Services Consumer Panel Meeting

**Date:** 14 January 2010

**Time:** 10:30 – 14:15 pm

**Venue:** Victoria House, Southampton Row, London WC1B 4AD

#### Present:

Dianne Hayter	Chair
Jeff Bell	Member
Graham Corbett	Member
Elisabeth Davies	Member
Emma Harrison	Member (Item 6 onwards)
Paul Munden	Member
Neil Wightman	Member
Karin Woodley	Member
Steve Brooker	Consumer Panel Manager
Alanna Linn	Consumer Panel Associate
David Edmonds	Legal Services Board (Item 6)
Julie Myers	Legal Services Board
Fran Gillon	Legal Services Board (Item 9)
Chris Baas	Legal Services Board (Item 9)

#### Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('the Panel').
2. The Chair advised that Emma Harrison had sent her apologies as she would be arriving late to the meeting.

#### Item 2 – Introductions and declarations of interests

3. There were no declarations of interest or gifts.

#### Item 3 – Minutes of the 27 November meeting

4. The Chair presented the Draft Minutes for the 27 November 2009 meeting of the Panel.

**The Panel approved the Minutes.**

#### Item 4 – Matters Arising

5. The Chair noted that the drafting of an MoU between the Panel and the Office for Legal Complaints would commence soon.

6. The Consumer Panel Manager provided an update of the referral arrangements project, noting in particular that:
  - Meetings have been held, and will continue to be held, with various stakeholders. A stakeholder roundtable is scheduled for Monday 18 January. The Consumer Panel Manager invited Panel members to attend this roundtable to observe if they were in London that day.
  - Vanilla Research has been appointed to undertake the consumer research component of the project. This will include 10 focus groups, with 2 groups to be held in London on 2 February. Viewing facilities will be available and Panel members were invited to attend.

#### **Item 5 - Chair's report**

7. The Chair presented her report.
8. In addition to the written report, the Chair advised that some of her scheduled meetings had been interrupted by snow but were being rescheduled.
9. The Chair also indicated that following discussions with a range of stakeholders, it may be useful to clarify to legal and other stakeholders how the Panel defines 'consumers'.
10. The Consumer Panel Associate provided an update on the development of the Panel's Website. The Consumer Panel Associate advised that a website separate from the LSB should be going live by the end of January.

**The Panel noted the paper and additional items raised.**

#### **Item 6 - Legal Services Board (LSB) Chairman**

11. David Edmonds, Chairman of the LSB, welcomed the new Panel and the Panel introduced themselves.
12. The Panel noted the LSB Chair's comments, including that:
  - it is important that the Panel both works with the LSB on policy work and brings forward its own ideas; and
  - to ensure early input, the work of the LSB will be brought to the attention of the Panel as early as possible.
13. The Panel and the LSB Chair also discussed the relationship between the Panel and Approved Regulators, the importance of considering Welsh perspectives in the Panel's and Board's work, and the development of the Panel's Work Plan for 2010-11.

#### **Item 7 – Work Plan 2010-11**

14. The Consumer Panel Manager presented a paper on activities for possible inclusion in the Panel's 2010-11 Work Plan.

15. The Panel noted the importance of mapping its high-level strategic objectives to those of the LSB. It agreed that the high level strategic objectives in the Paper should be maintained for 2010-11 and reviewed in one year's time.
16. The Panel discussed the principles for prioritising work as set out in the Paper. As part of this discussion, the Panel agreed to include an additional criterion that would allow fresh thinking or work designed to tackle emerging threats or prevent foreseeable consumer detriment. Further, the principles should not prevent the prioritisation of urgent work that may be needed in response to external events and inputs.
17. The Panel noted the proposed ways of working, and requested two additional types of activity be made explicit when describing our role: i) intelligence gathering and ii) proactive activities, which may include identification of key issues to act upon and proposing new or innovative policies within the Panel's remit.
18. The Panel members also discussed the various possible projects that had been suggested in the Paper. Overall, the preferred projects related to:
  - Comparison websites
  - Consumer engagement by Approved Regulators, although with a different methodology
  - First Tier complaint handling
  - Legal Literacy Survey
  - Consumer Welfare Index
  - Will-writing
19. The Panel agreed that in relation to the possible will-writing project, this will need to be considered in the context of the LSB's broader work on reserved and unreserved legal activities.
20. The Panel also discussed the proposed project on Consumer Vulnerability. The Panel agreed that whilst further consideration needed to be given to the use of wording such as 'vulnerability' and 'disadvantage', consideration of such issues should be embedded in all the Panel's work rather than be made a separate project in its own right.
21. The Chair indicated that a revised version of the Work Plan, based on the Panel's comments, would be prepared for the next meeting. The Chair also suggested that a Work Plan 'away day' to review the 2010-11 Work Plan and develop thinking for the 2011-12 plan be scheduled for 8 December 2010.
22. Neil Wightman agreed to represent the Panel on the LSB's Research Strategy Group.

**Action:**

The Consumer Panel Manager to prepare a revised version of the Work Plan, based on the comments outline above, for approval at the March meeting of the Panel.

**The Panel agreed:**

- to the Consumer Panel Manager preparing a final version of the Work Plan in line with the comments outlined above;
- to publish the Panel Work Plan, once approved; and
- to review the 2010-11 work plan and plan for 2011-12 at an 'away day' on 8 December 2010.

#### **Item 8 – Measuring our success**

23. Due to time constraints, this paper was deferred for consideration until the next meeting of the Panel.

**The Panel agreed to consider this paper at its meeting on 10 March, and to extend the meeting by 30 minutes for this purpose.**

#### **Item 9 – Alternative Business Structures**

24. The Consumer Panel Associate presented a paper that outlined a proposed response to the LSB's consultation on Alternative Business Structures (ABS).

25. The Panel noted that there were a number of complex issues being considered as part of this consultation, including the future regulation of reserved and unreserved legal activities, the importance of consumers understanding their rights and how these are protected, potential conflicts for owners in terms of their duty to the client and duty to shareholders, and how regulated legal services could be appropriately identified for consumers, through kite-marking or otherwise.

26. The Panel also noted the potential for other bodies providing legal services, such as local authorities and student unions, to be brought within the scope of ABS.

#### **Action**

The Consumer Panel Associate to prepare final version of the consultation response and circulate electronically to Members for comment in line with the agreed process for agreeing responses in Item 10 below.

**The Panel approved the proposed content of the response, subject to the comments outlined above.**

#### **Item 10 - Consultation responses**

27. The Consumer Panel Manager presented a paper on consultation responses. This included a proposed approach for responding to consultations.

28. The Panel noted the previous responses that had been made, as well as the anticipated submissions.

**The Panel noted previous responses made and agreed to:**

- the proposed policy lines on current responses; and
- trialling the proposed approach for responding to consultations over the next six months.

**Item 11 - Any other business**

29. No other business was raised.

**Item 12 - Draft agenda for next meeting – 10 March 2010**

30. The Chair presented the Draft Agenda for the next meeting in March 2010

**The Panel approved the Draft Agenda for the March 2010 meeting.**