

Minutes

Legal Services Consumer Panel Meeting

Date: 26 October 2011

Time: 11:00 – 15:00hrs

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

Present:

Elisabeth Davies	Chair
Jeff Bell	Member
Graham Corbett	Member
Paul Munden	Member
Neil Wightman	Member
Karin Woodley	Member
Steve Brooker	Consumer Panel Manager
Alanna Linn	Consumer Panel Associate
Emily Lynn	Legal Services Board
Ramandeep Bhatti	Legal Services Board

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('the Panel') and Emily Lyn and Ramandeep Bhatti. The Chair noted apologies from Emma Harrison and Julie Myers.
2. The Chair congratulated Emma Harrison, Jeff Bell and Paul Munden on their reappointments.

Item 2 – Declarations of interests

3. None

Item 3 – Minutes of the 20 September 2011 meeting

4. The Chair presented the Draft Minutes for the 20 September 2011 meeting.

The Panel approved the Minutes of 20 September 2011.

Item 4 - Matters Arising from the Minutes

5. Item 4 – The Chair advised that the scheduled meeting with the Legal Ombudsman (LeO) was rescheduled for 2 November.
6. Item 5 – The Chair advised that Ministers had indicated that the ban on referral fees would take the form of a regulatory rather than a criminal offence. A recent Legal Futures interview with the Panel Chair noted the Panel's unchanged position on referral fees.
7. Item 7 – The Chair advised that she had received a letter from Mehrunnisa Lalani and that a follow-up visit to the SRA was being arranged.
8. Item 9 – The Chair advised that the Deaf Studies Trust had been appointed to carry out a series of one-to-one interviews with deaf and hard of hearing consumers.
9. Item 9 – The Consumer Panel Manager advised that the Legal Services Board (LSB) had confirmed it will commission consumer research on probate and estate administration services. The Panel Manager advised he would be on the selection panel for the tender process.
10. Item 11 – The Chair confirmed the meeting dates for 2012: 8 February, 9 May, 27 June, 13 September, 17 October and 12 December - all day.

The Panel noted the matters arising.

Item 5 – Chair's report

11. The Chair presented her report covering recent meetings and press interviews.
12. In addition to the written report, the Chair specifically noted that a meeting with Antony Townsend (Solicitors Regulation Authority) was held on 17 October and a further meeting was planned for early 2012.

The Panel noted the Chair's report.

Item 6 – Members' updates

13. The Chair noted that the Consultation on the Legal Ombudsman's Strategy (2012-2015) and Business Plan (2012-2013) had been published. Hard copies of the Plan were circulated.
14. Jeff Bell reported that he attended the LeO Stakeholder Forum meeting in October and that the group's Final Report and LeO's response would be made available on SharePoint.
15. Graham Corbett advised that he had met with Office for Legal Complaints Board member, Margaret Doyle, to discuss case decisions. A further meeting was scheduled for 29 November to speak with investigations staff. Graham

also advised that on 1 November he would be having lunch with Julie Gledhill, Head of Personal Injury at Thompsons.

16. The Consumer Panel Associate noted that she and Emma Harrison had met with RADAR as part of the project on deaf consumers. Meetings were also held with RAD Legal Services and the Wales Council for Deaf People.
17. Neil Wightman advised that a response to the education and training review questionnaire had been sent. Neil would be attending the next meeting of the Consultation Steering Panel on 10 November.
18. Paul Munden was due to speak at the Legal Futures conference on small businesses as consumers, but was unable to attend. The Consumer Panel Manager spoke on his behalf.
19. Emily Lyn advised that the LSB would be holding a special bodies seminar on 22 November to share early thinking on special bodies regulation ahead of a consultation paper to be published next year. Paul Munden would be attending for the Panel.

The Panel noted the members' update.

Item 7– Quality schemes

20. The Consumer Panel Associate presented the draft report on voluntary quality schemes in legal services.
21. The Panel members supported the report overall but suggested a number of changes to the narrative of the report to clarify key messages. Key points raised in discussion included the need to be clear about the overall position of the report – this is about what constitutes a credible VQS and not about the value of VQS as a consumer tool – along with the potential reaction of scheme operators and the need to clarify and minimise the potential for misinterpretation of the meaning of the assessments summary table.
22. Panel members were asked to provide any drafting comments to the Consumer Panel Associate directly.

The Panel approved the draft report of voluntary quality schemes, subject to changes in line with comments made.

Item 8 – Response to LSB consultation on future regulatory landscape

23. The Consumer Panel Manager presented the draft response to the LSB consultation on future regulatory landscape.
24. Panel members reviewed the key messages and policy statements at the heart of the response, reviewing and reflecting previous positions. On this basis the Panel broadly supported the draft responses but proposed a number of amendments to the wording of the key messages.

25. Panel members discussed the need for a clear rationale to underpin which areas of legal activity should be investigated, with factors including the level of detriment and the vulnerability of consumers.

The Panel approved the draft response to the LSB on the future regulatory landscape, subject to changes in line with comments made.

Item 9 – Probate and estate administration services

26. The Consumer Panel Manager presented a paper on probate and estate administration services.
27. Panel members discussed the paper and identified a number of factors which need consideration in deciding whether to regulate, including:
- The severity of detriment from poor services– financial, health, impact on relationships;
 - Consumers expectations of regulation;
 - Whether regulation can reduce the risk of fraud or poor service;
 - issues due to multiple beneficiaries who are not clients;
 - Whether regulation would limit choice; and
 - The ability of lay executors to do this work without qualifications.

The Panel noted the Paper on probate and estate administration and agreed to submit an interim response to the LSB based on the analysis of probate complaints received by the Legal Ombudsman.

Item 10 – Consultation responses

28. The Consumer Panel Associate presented a paper on recent and upcoming consultation responses.

The Panel:

- **noted the response to the BSB consultation on continuing professional development.**

Item 11 – Planning for All Day Meeting in December

29. The Chair sought views from panel members on the agenda for the all day meeting scheduled for 14 December. Key areas identified for discussion included: a review of the year, the 2012-13 work programme and a presentation on consumer insight, plus any necessary policy items.

The Panel agreed the areas for discussion at the December meeting.

Item 12 – Any other business

30. None