

Minutes

Legal Services Consumer Panel Meeting

Date: 4 May 2011

Time: 11:00 – 15:00 pm

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

Present:

Dianne Hayter	Chair (Items 1-13)
Jeff Bell	Member
Graham Corbett	Member
Elisabeth Davies	Member (Items 1 – 7)
Emma Harrison	Member
Paul Munden	Member (Items 6-14)
Neil Wightman	Member
Karin Woodley	Member (Items 1-10)
Steve Brooker	Consumer Panel Manager (Items 1-13)
Alanna Linn	Consumer Panel Associate (Items 1-13)
David Edmonds	Legal Services Board (Items 1-8)
Karen Marchant	Legal Services Board (Items 1-13)
Chris Handford	Legal Services Consumer Panel (Items 9-10)
Alex Roy	Legal Services Consumer Panel (Items 9-10)

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('the Panel'). The Chair noted apologies from Julie Myers and welcomed Karen Marchant in her place. The Chair advised that Paul Munden had been delayed and that Elisabeth needed to leave early.

Item 2 – Declarations of interests

2. No declarations.

Item 3 – Minutes of the 16 February 2011 meeting

3. The Chair presented the Draft Minutes for the 16 February 2011 meeting.

The Panel approved the Minutes of 16 February 2011.

Item 4 – Matters Arising from the Minutes

4. Item 3 – The Chair advised that a letter had been written to the BSB; however, a reply had not been received.
5. Item 7 – The Consumer Panel Manager advised that the Panel had not yet been invited to be involved in the joint regulator education and training review.
6. Item 12 – The Chair thanked Elisabeth Davies for having presented the Work Programme and an update on the Consumer Impact Report to the Legal Services Board (LSB) in March 2011. The Work Programme had been endorsed by the LSB and published on the Panel's website.

The Panel noted the matters arising.

Item 5 – Chair's report

7. The Chair presented her report covering recent meetings, speaking engagements and press coverage.
8. In addition to the written report:
 - The Chair had attended the LSB's April meeting and Neil Wightman would attend the May LSB meeting to present the Annual Report.
 - The Panel had been asked to attend the Birmingham Law Society Conference on 9 June 2011. As Dianne was unable to attend, it was agreed that Karin Woodley would represent the Panel.
 - A meeting was being scheduled with the New Zealand Legal Complaints Review Officer in May.
 - A letter from Ed Blades, Department for Business Innovation and Skills, was circulated.

The Panel noted the Chair's report and the additional items raised.

Item 6 – Members' updates

9. Jeff Bell had joined the Legal Ombudsman Stakeholder Advisory Panel and attended two meetings. The third and final meeting was scheduled for June. The role of the group was to provide an independent review of the Legal Ombudsman's internal processes in order to improve consumer outcomes. A future role may be to examine ways of using complaints' intelligence to help raise standards in the legal profession.
10. Elisabeth Davies reported on her attendance at the LSB's March meeting.
11. Paul Munden had attended the SRA's Financial Protection Arrangements Reference Group on 17 February.

12. Graham Corbett had participated in a teleconference with the Legal Ombudsman regarding their draft Diversity and Equality strategy. Although the Strategy raised no matters of concern, the key issue from the Panel's perspective was how it was turned into action.

The Panel noted the members' update.

Item 7 – Consumer Impact Report

13. The Consumer Panel Manager presented the draft Consumer Impact Report.
14. The Panel welcomed the draft Report, subject to some minor comments on tone and wording. The Panel discussed the development of a communications plan, including engagement with key stakeholders.

The Panel approved the draft Consumer Impact Report, subject to amendments in the light of comments made.

Item 8 – Annual Report

15. The Consumer Panel Manager presented the draft Annual Report for 2010-11.
16. The Panel agreed the draft Report, subject to a number of minor amendments. The Panel noted that Neil Wightman would present the Annual Report at the May 2011 meeting of the LSB Board.

The Panel approved the Draft report, subject wording changes in line with comments made.

Item 9 – Rationalising the Scope Of Regulation

17. The Chair introduced Chris Handford, Regulatory Project Manager at the LSB, who gave a presentation of the future regulatory framework for legal services. Key points made in the presentation included:
- The current approach to regulation in legal services developed over centuries, resulting in a maze of reserved/unreserved activities, different titles and different regulatory protections.
 - The LSB's 2011-12 Business Plan included rationalising the scope of legal service regulation as a key workstream.
 - Reservation of legal activities to authorised persons provides the foundation for regulation under the Legal Services Act 2007.
 - The LSB's approach would focus on reviewing different legal services and activities. These reviews would be prioritised based on analysis of evidence, intelligence and feedback from stakeholders. Factors may include the potential for harm, the size of the market and the experience and power of the primary consumers.

- The Panel's view on how consumer perspectives should be fed into the prioritisation process would be appreciated.
18. The Panel discussed the presentation. Key matters raised included the role for education to mitigate consumer confusion around regulatory protections, whether there was scope to take a 'blank sheet' approach to reviewing which legal services should be reserved, and 'grey regulation' by bodies such as insurers and the Legal Services Commission.
- The Panel noted the presentation.**

Item 10 – LSB Research

19. The Chair introduced Alex Roy, Research Manager at the LSB, and thanked him and his team for their assistance to the Panel.
20. The Research Manager presented a summary of research from 2010-11 and outlined the LSB's 2011-12 Research Strategy. Key projects included the market benchmarking study, the LSB's first evaluation of the Legal Services Act, as well as further literature reviews and research for the Panel. The Research Manager sought Panel suggestions for additional research topics.
- The Panel noted the presentation.**

Item 11 – Consultation Responses

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

The Panel:

- **noted submissions made to the LSB's consultations on CLC and SRA applications to become Licensing Authorities, to the LSB's consultation on a CLC application to broaden its regulatory remit, and to the SRA's consultation on future client financial protection arrangements.**
- **agreed to respond by letter to the SRA's consultation on its Equality Framework and Engagement Strategy.**
- **agreed to respond to the Legal Ombudsman second consultation on publishing decisions, with a response to be submitted prior to the Panel's joint meeting with the Office for Legal Complaints (OLC) Board on 20 June.**

Item 12 – Draft Agenda for next meeting – 20 June

22. The Consumer Panel Manager presented the proposed agenda for the 20 June meeting in Birmingham.

23. The Panel discussed meeting with the OLC Board and suggested a number of possible topics for discussion, including communications, jurisdiction, and ways of measuring the consumer journey through the complaints process.

The Panel agreed the proposed Agenda, subject to postponing the SRA item until the September meeting.

Item 13 – Any other business

24. None

Item 14 –Chair Appraisal

PRIVATE SESSION – Chair and Secretariat absent