



## Minutes

### Legal Services Consumer Panel meeting

**Date:** 06 March 2019

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

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

#### Present:

Sarah Chambers	Chair
Adam Cooper	Member
Andy Foster	Member
Cathy Gallagher	Member
Michelle Goddard	Member
Frances Harrison	Member
Mark McLaren	Member
Marlene Winfield	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate
Ramandeep Bhatti	Legal Services Board (Minutes)
Warren Davis	Solicitors Regulation Authority (Item 5 only)
Nicola Tulk	NESTA (Item 5 only)
Emma Tunley	Solicitors Regulation Authority (Item 5 only)
Helen Phillips	Legal Services Board (Item 7 only)

#### Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('The Panel').

#### Item 2 – Declaration of interests

2. None.

#### Item 3 – Minutes of 6 March 2019 meeting

3. The Chair presented the minutes from 6 March 2019, which had been agreed via electronic correspondence.

**The Panel noted the minutes from 6 March 2019.**

#### Item 4 – Matters arising

4. The Chair presented the matters arising.

5. In relation to item 8, Projects Update, it was noted the Panel's consumer vulnerability working group met to discuss the merging of the vulnerability training with the segmentation training.
6. In relation to the same item, it was noted Westminster Policy Forum on 13 June is confirmed, but a Panel representative is yet to be confirmed. Panel Members should to check diaries and confirm availability if interested.
7. In relation to Item 6, Chair's report and members update, it was clarified the CTSI contact follow up was for alternative dispute resolution.

**The Panel noted the matters arising.**

**ACTION: Panel Members to let Secretariat know if they are available for Westminster Policy Forum on 13 June.**

### **Item 5 – Solicitors Regulation Authority Pioneer Fund**

8. The Chair welcomed Nicola Tulk, Emma Tunley and Warren Davis to the meeting. Nicola Tulk is a Consultant at NESTA and Emma Tunley is Policy Manager at the Solicitors Regulation Authority (SRA) and Warren Davis is Policy Associate at the SRA.
9. The SRA won a grant of £700,000 from the Regulators Pioneer Fund and are going to work with NESTA for a project funded for 18 months to advance the development of technological solutions for problems of access to justice. Emma and Nicola gave a presentation on this work.
10. In her presentation Emma Tunley gave some background information on the SRA's role in encouraging innovation and growth in the legal services market and provided an overview from when the SRA was established to the present Looking to the Future (Lttf) reform programme. Emma highlighted the SRA are in position to regulate AI innovation as they have the foundation of the Lttf rules.
11. NESTA's Challenge Prize Centre will design and run an open competition. In her presentation Nicola Tulk gave an overview of NESTA's research observations, presented the draft challenge statement, gave examples of propositions that would be welcomed and provided an overview of the timeline of the challenge prize structure and timings.
12. In the course of the presentation the Panel raised the following points:
  - The Draft Challenge Statement is encouraging technology and innovation and focussing on tools, but not ethics. Ethics should be embedded from the beginning to set the scene and framed in ethical way. The Panel also noted key groups should not be excluded by terminology e.g. small businesses and charities.
  - There are different sources of support that might be available, but navigation is a big issue and people have different capabilities. There is a need for the combination of technology and humans, be mindful not to exclude humans.
  - Some ideas and innovations will be easier to implement than others, the Panel questioned how NESTA were going to assess the importance of propositions. Nicola Tulk advised it is unlikely they will receive propositions that are unconventional due to the total of the prize fund, but equally they are not looking for an idea that already exists. Instead they are looking for a new technological development or a proposition for a new area.
13. The Chair and Panel thanked Nicola Tulk, Emma Tunley and Warren Davis for their presentation and invited to hear back from them once this work was complete.

**The Panel noted the presentation from the SRA and NESTA.**

**Item 6 - Chair's report and Members' update**

14. The Chair presented her report on recent meetings.
15. In addition to her report, the Chair advised earlier today the appointments of the new Panel Members had been announced. David Abbott, Owen Derbyshire and Liz Owen will begin their terms on 1 April 2019 and Paul Crook will begin his term on 1 October 2019.
16. On 28 February the Chair advised she attended the Consumer Panel Chairs meeting where discussion was about Ombudsman and alternative dispute resolution and technology. The Chair advised Wanda Goldwag, Chair of the Office for Legal Complaints, has been appointed as Chair of the Financial Services Consumer Panel.
17. On 1 March the Chair advised she attended the CMA Remedies Programme Implementation Group where she repeated the Panel's view that there is a role for the LSB to produce guidance on quality indicators.
18. The discussion turned to possible areas of work the Panel could spend any extra money on, the Secretariat would look into contacting YouGov to see if it would be possible to set up some focus groups.
19. Cathy Gallagher provided the Panel with an update on the Legal Aid Post Implementation Review. As this was Cathy's final meeting the Chair asked Cathy if there was anything she thought the Panel should be doing. Cathy advised any work around legal aid would need to fit into the current work plan and the Panel may want to look into any pinch point areas where regulation not paid attention to.

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

**ACTION: The Secretariat to contact YouGov about focus groups.**

**Item 7 – The LSB Chair's update**

20. The Chair welcomed Helen Phillips, Chair of the Legal Services Board (LSB) to the meeting.
21. The Chair began the discussion by updating Helen Phillips on the Panel's plans for the Ombudsman paper. The Chair advised that the Panel plan to hold a workshop where some key questions/topics about Ombudsman would be discussed and that this would be followed by a piece of work. The Chair advised that a key issue is alternative dispute resolution (ADR). BEIS raised the issue of ADR in their Consumer Green paper - Modernising Consumer Markets. It was noted that the Legal Ombudsman have not made ADR mandatory. Helen Phillips advised the Panel the LSB are having a Board to Board meeting with Office for Legal Complaints on 18 June to which the Panel is invited.
22. Discussion then turned to technology, one of the LSB's objectives for the 2019/20 Business Plan is regulatory approaches to technology. The Chair advised Helen Phillips the SRA were at the Panel meeting earlier presenting their innovate work, and Panel advised them to remember the ethical aspect when looking at innovate work. Helen Phillips advised the LSB, SRA and The Law Society are having a session for colleagues

who lead in this area for joined up thinking and common ownership. Helen Phillips opened the invitation to the Panel Manager, to get the Panel perspective and to help identify any gaps. It was noted there are other organisations looking at legal technology such as Legal Aid Agency and the LSB should look into what they are doing, Helen Phillips noted this and commented the LSB could consider a coordinated approach. The Panel highlighted it is important to capture learning that will arise from the regulatory issues for the consumer and provider as a result of new forms of legal technology.

23. The Chair advised Helen Phillips that while there is reasonably good progress from regulators on transparency, there are still some concerns, with the same language and not many positive comments. Helen Phillips advised the LSB continue to have oversight of how far regulators are progressing in this area and that this will also connect to two policy objectives ongoing competence and transparency and public legal education (PLE). Service quality and technical quality are areas the LSB will look at through ongoing competency and there may also be some requirements at the end of this work.
24. The Chair emphasised that through rules and guidance providers should be required to provide aspects of service quality, aspects of complaints data, timeliness of service and service level measures. The regulators have all the information they can gather, examples of where this is being pushed in other sectors is through the Financial Conduct Authority.
25. Helen Phillips took the opportunity to thank Andy Foster, Frances Harrison and Cathy Gallagher for their enormous contributions and quality of work, noting it was a privilege to have them as part of the Panel.

**The Panel noted the update from the LSB Chair.**

#### **Item 8 – LSCP Work Programme 2019/20**

26. The Panel Manager presented the Draft Work Programme for the Panel's consideration and sign-off. The draft has been further developed based on the conversation from the January Panel meeting.
27. The Panel agreed this was a really good document which explains the journey of the Panel and what the Panel does. The Panel suggested a few points to amend the document.

**In line with comments made, the Panel agreed the narrative, priorities and structure of the draft Work Programme for 2019/20.**

**ACTION: Panel Members to send any drafting points to the Panel Manager by the end of the week.**

#### **Item 9 – Ombudsman paper**

28. The Chair updated the Panel on the progress of the Ombudsman work the Panel agreed to look into after the Panel and LSB Board to Board meeting in November.
29. The Chair suggested the best way to progress this work would be to organise a workshop for which should be prepared an annotated agenda with questions for discussion. The discussion at the workshop would then form the basis for a piece of follow up work about how the ombudsman scheme could be more effective.

**The Panel noted the update on the Ombudsman paper.**

**Item 10 – Projects update**

30. The Panel Associate presented the projects update.

**The Panel noted the projects update.**

**Item 11 – Consultation responses**

31. The Panel Associate presented a paper on consultation responses.

**The Panel noted responses had been submitted to:**

- **The Legal Ombudsman’s consultation on *Business Plan 2019-20***
- **the Master of the Rolls consultation on *appointments to the Solicitors Disciplinary Tribunal***
- **The Legal Services Board consultation on its *Business Plan 2019/20*.**

**Item 12 – Draft agenda for 8 May 2019**

32. The Chair presented the draft agenda for 8 May 2019 meeting.

33. An update on the Ombudsman paper should be added, it was noted there would be new Panel Members at this meeting so some time should be factored in at the beginning of the meeting to welcome new Members.

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

**Item 12 – Any other business**

34. On behalf of the Panel, the Chair expressed thanks to departing Panel Members Andy Foster, Frances Harrison and Cathy Gallagher for their contributions to the work of the Panel over the past few years. The Chair expressed personal thanks for making her first year as Panel Chair easier because of their input.