



Minutes

Legal Services Consumer Panel meeting

Date: 07 March 2018

Time: 13:00-17:00

Venue: One Kemble Street, London WC2B 4AN

Present:

Jane Martin	Chair
Andy Foster	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)
Holly Perry	Legal Services Board
Helen Phillips	Legal Services Board (Item 10 only)

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('The Panel'). Apologies had been received from Cathy Gallagher and Michelle Goddard.
2. In relation to item 9 on the agenda, apologies had also been received from Sheila Kumar.

Item 2 – Declaration of interests

3. None.

Item 3 – Minutes of 31 January 2018 meeting

4. The Chair presented the minutes from 31 January 2018, which had been agreed via electronic correspondence.

The Panel noted the minutes from 31 January 2018.

Item 4 – Matters arising

5. The Chair presented the matters arising.

6. It was agreed that the Chair will meet with Steve Jarman from Ministry of Justice (MoJ) separately before the April Panel meeting, and he would be invited to the Panel's meeting in September or November.
7. Holly Perry provided an update on recruitment to the Panel: She said a submission had gone to the Lord Chancellor for a Panel member. She informed the Panel that WIG recruitment is going to recruit for the Chair's vacancy. This is now live, with a deadline for applications of 26 March. Interviews are scheduled for 16 April. In relation to the terms of appointments for Panel Members ending in early 2019, Holly Perry said that the Legal Services Board's (LSB) Remuneration and Nomination Committee will be considering a paper at its meeting in July 2018 on succession plans.

The Panel noted the matters arising.

Action: Meeting to be scheduled with Steve Jarman in April and he would be invited to a future Panel meeting.

Item 5 – Chair's and Members' update

8. The Chair provided the Panel with a verbal update on her recent meetings.
9. The Chair informed the Panel that she had an introductory meeting with the new Chair of the Bar Council, Andrew Walker QC. She said it was an introductory meeting, but issues discussed included defining and measuring quality.
10. Frances Harrison informed the Panel that she met with the Bar Standards Board (BSB) to discuss their vulnerability toolkit. She said the BSB had done a good job and taken on board comments from the Panel. The toolkit will be published at the end of March 2018. She also noted that the BSB were the biggest adopters of the vulnerability work and also hired a consultant for this work. Frances Harrison will contact the BSB to express the Panel's support and a desire to be involved in the communication and dissemination of the toolkit.
11. The Panel agreed that this is an important area of work to stay plugged into.
12. The Chair informed the Panel that she and the Panel Manager attended a meeting of the various sectoral consumer panel Chairs. She said that the Chairs had agreed to focus future discussions on ADR and technological developments.

The Panel noted the Chair's and Members update.

Item 6 – Projects update

13. The Panel Associate presented the projects update.
14. In addition to the paper, the Panel Associate said the Panel had been invited to attend a reception for the inauguration of the CILEx President on 19 July. Mark McLaren agreed to attend on behalf of the Panel.
15. The Panel had also been invited to a seminar on diversity on 30 April hosted by Leeds University Business School. Frances Harrison confirmed that she would attend the event, and the invitation would be also extended to Cathy Gallagher.

16. The Panel Manager informed the Panel about her meetings with YouGov to discuss the design stage of the Tracker Survey for 2018. She confirmed that the LSB offered to pay for the national representative survey, as a one-off for this year. This would release the funds to increase the sample size of the legal services users to more than 3,000. YouGov started the field research on 6 March. The Panel Manager is now exploring the costs of analysing the data in more depth, with infographics.

The Panel noted the projects update.

Item 7 – Consultation responses

17. The Panel noted a response had been submitted to the LSB's consultation on its Draft Strategy 2018-21 and Business Plan 2018/19.
18. The Secretariat confirmed that feedback would be submitted to the LSB on its diversity self-assessment process.

Item 8 - Panel's three year Strategy 2018-21 and the Work Programme 2018/19

19. The Panel Manager said that the SRA had provided feedback on the Panel's Strategy and Work Programme. The response was positive and there was also an offer to collaborate with the Panel. She said the Legal Ombudsman were also supportive and offered to collaborate with the Panel on its complaints project.
20. The Chair presented the draft Strategy and Work Programme for sign-off. The Panel suggested a few minor changes to the wording of some paragraphs.

Subject to suggested amendments, the Panel agreed the Strategy 2018-21 and the Work Programme 2018/19.

Item 9 – CLC

21. Sheila Kumar could not attend the meeting as she was ill. The Chair updated the Panel on her telephone conversation with Sheila Kumar on transparency issues. The Panel expressed reservations about the CLC's voluntary guidance approach to price transparency and noted that this was likely to be the biggest threat to consistency.
22. The Panel expressed uncertainty about how a voluntary approach could be reconciled with standardising a price generator and agreed to seek further clarification on this from the regulators involved in joint work on conveyancing.
23. The Panel also raised concerns about whether the BSB's approach to transparency would empower consumers as the CMA had envisioned.
24. The Panel discussed the role of the LSB in monitoring and assessing the CMA's transparency recommendations and noted that it may be an opportune time to clarify what powers the LSB have and when they will be prepared to use these powers to ensure that

the CMA's recommendations are implemented. The Panel concluded that the LSB needs to be more creative about how it uses its powers and influence in the sector.

25. The Panel agreed to highlight its concerns to the CMA, request a meeting and use the framework document it developed on the regulators' transparency proposals to highlight its main points around inconsistency, gaps in transparency about quality, and consumer research and testing.

26. The Panel agreed to talk to the CLC and the SRA about their current positions on price transparency and quality.

Actions:

- **The Chair will send a letter to the CMA and invite Sheila Kumar to the April meeting.**
- **The Secretariat to liaise with the SRA and CLC to understand their positions on price transparency and quality.**

Item 10 – Legal Services Board update

27. The Chair welcomed Dr Helen Phillips, Interim Chair of the LSB.

28. Helen Phillips opened by praising the work of the Panel and noted how she was impressed by the quality of work and the well-judged issues the Panel focus on. She also acknowledged the Panel's impressive reach to regulators.

29. Points raised in the subsequent discussion included:

- With regard to monitoring the CMA remedies, Helen said she was pleased that the regulators were working well together and said the LSB had confidence in the Chair of the implementation group.
- On the subject of leadership the Panel questioned why the LSB isn't doing more. Helen Phillips accepted the challenge to leadership, but noted there is a balance to be struck between consumers and the profession.
- Following a question about the LSB's regulatory leadership role in relation to transparency, Helen Phillips noted the LSB would give consideration to its leadership role in the sector on issues around transparency and consumer protection. She however noted concerns about blanket minimum standards or an approach that doesn't sufficiently take into account varying risk profiles. She accepted there were questions to be explored around minimum standards, and maximum and meaningful transparency.
- In relation to the LSB's relationship with the MoJ, Helen Phillips explained that the LSB received a clean bill of health from the MoJ in the recent tailored review. She also said the LSB is there to help the Government navigate the legal regulatory territory.

30. The Chair thanked Helen Phillips for her time.

The Panel noted the update from Helen Phillips.

Item 11 – LSCP’s Annual Report

31. The Panel Manager presented a paper on the approach to adopt for the publication of the Panel’s next Annual Report. A draft version of the report would be presented at the Panel’s meeting in April.
32. The Panel said it was happy to use the format of the previous annual report for the next one. The Panel noted some headlines from the past year to include in the report, including segmentation roundtable, information remedies work, tracker survey, staff changes.

The Panel agreed the proposed approach, style and structure for the annual report.

Item 12 – Draft agenda for 25 April 2018

33. The Chair presented the draft agenda for the 25 April 2018 meeting and agreed to have an earlier start of the April meeting to mark her last meeting by having lunch together.
34. The Annual Report also needed to be added as an item to the April meeting.

In line with amendments the Panel agreed the draft agenda.

Item 13 – Any other business

35. The Secretariat will be circulating the Wills BME briefing from the Law Society amongst Panel Members for comments.