



Minutes

Legal Services Consumer Panel meeting

Date: 26 June 2019

Time: 13:00-16:10

Venue: One Kemble Street, London WC2B 4AN

Present:

Sarah Chambers	Chair
David Abbott	Member
Adam Cooper	Member
Owen Derbyshire	Member
Marlene Winfield	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate
Vanessa Davies	Bar Standards Board (Item 5 only)
Wilf White	Bar Standards Board (Item 5 only)
Angela Latta	Legal Services Board (Item 7 only)

Item 1 – Welcome and apologies

1. The Chair welcomed Panel members, especially Liz Owen to her first meeting. Michelle Goddard and Mark McLaren sent their apologies.

Item 2 – Declaration of interests

2. None.

Item 3 – Minutes of 8 May 2019 meeting

3. The Chair presented the minutes from 8 May 2019. Panel members recommended minor changes.

The Panel noted the minutes from 8 May 2019.

Item 4 – Matters arising

4. The Chair presented the matters arising.

The Panel noted the matters arising.

Item 5 – BSB presentation

5. The Chair welcomed Vanessa Davies, Director-General at the BSB and Wilf White, the BSB's Director of Communications and Public Engagement. The BSB covered the following topics with the Panel: transparency, consumer research, and the BSB's strategy and priorities.
6. On transparency, Vanessa confirmed that the new transparency rules will go live on 3 July as they have been approved by the LSB. The BSB will publish guidance to support compliance within the profession. In January 2020, the BSB will carry out an evaluation of how well the new rules have been implemented.
7. The BSB's transparency rules fall into three categories:
 1. rules on price, service and redress which apply to all self-employed barristers, chambers and BSB entities
 2. an additional rule to display a link to Public Access guidance for clients on the BSB website for all those undertaking Public Access services
 3. Supplementary rules on price and service transparency for those undertaking the Public Access services listed in BSB's accompanying price transparency policy statement. For each Public Access service listed, the policy statement specifies the circumstances in which price transparency requirements apply
8. The Panel asked Vanessa about the professions concerns with transparency. She said the profession is concerned about a number of issues including complexity of cases which could prohibit full price transparency, competition amongst barristers within the same chamber. Vanessa also noted that there is an element of a conservative culture.
9. Vanessa said that smaller chambers are more willing to publish prices and as they understand that this gives them a competitive advantage. She also said that the BSB is encouraging barristers who are transparent about price to be advocates of its benefits.
10. The Panel asked the BSB what would look like when they start monitoring price transparency in the sector. The BSB noted the following as measures of success:
 - Increase in the percentage of consumers who shop around
 - Consumers understanding of pricing information
 - High use of price information in consumers' decision making
 - Lower numbers of complaints on price to the Legal Ombudsman
11. The Panel commended the BSB for its considered success criteria, but noted overall disappointment at the slow traction towards the publication of quality indicators to bolster price transparency. The BSB acknowledged the challenge, and noted difficulties around developing quality indicators. The BSB said that some quality elements are listed on the BSB and the Legal Choices' websites. The Panel recommended that the Bar Council's website should list them as well.
12. Wilf said that the BSB is updating its website to reflect the consumer journey, where consumers can access the barristers register, disciplinary findings and ways to instruct barristers (public access or via a solicitor). There is a considerable amount of information on competence, but not so much on quality. The Panel offered to feedback on the new website.
13. The Panel expressed disappointment on the BSB's choice to withdraw funding from the Legal Choices website and asked how the BSB's decision fits with regulators strategy to

increase and improve its engagement with consumers. Wilf said that 50% of their communication budget was going to the Legal Choices website and it simply could afford the allocation. The BSB said that they will continue to contribute content. The BSB also said they will write to the CMA and LSCP on their plans with regards to Legal Choices.

14. On consumer research, the Panel raised its concerns about the need for more consumer focused research to inform regulators strategy, policy development/impact assessments and rule changes. The BSB will share a list of the research they are carrying out. The BSB noted considered research around immigration and youth advocacy work. The BSB said that they are also looking at other sectors to learn how to improve their research.
15. The Panel encouraged the BSB to consider asking consumers what they would like in terms of information. The BSB said it is difficult to find consumers who have used a barrister and want to take part in a survey. The Panel encouraged the BSB to consider a comprehensive method of research that would include the consumer view.
16. On technology, the Panel encouraged the BSB to be more proactive. The BSB said they don't want to stand in the way of innovation, but they do not see their role as promoting technology. Vanessa said the board had taken a decision not to be proactive in this area but will continue to assess developments and risks
17. The Panel noted the update from the BSB and thanked Vanessa and Wilf for their time.

The Panel noted the update from Vanessa Davies.

Item 6 – Chair's report and Members' update

18. The Chair presented her report on recent meetings. The Chair feedback on the ADR workshop on 12 June, which had a high number of attendants and received positive feedback. The Chair agreed to speak to the LSB about next steps. The chair noted the £10,000 increase to the tracker survey this year.

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

Item 7 – Legal Services Board

19. The Chair welcomed Angela Latta, Regulatory Policy Principal at the Legal Services Board (LSB).
20. Angela Latta provided the Panel with an update on the LSB's current work on ongoing competences. Angela said the work on this topic is a result of the LSB's business plan with a start of a two years engagement period that will be as "wide as possible". Within this timeframe LSB anticipate they will have:
 - completed their thematic review of the overall position of the market;
 - assessed other approaches to ongoing competence and tested their relevance to the legal sector;
 - developed and publish an updated LSB policy position on approaches to ongoing competence.
21. Angela said LSB will be expansive in their reach and consider all available relevant research. The LSB said it is minded to commission research if it identifies significant gaps in its evidence.
22. Angela confirmed that consumers will be important to this review.

23. The Panel welcomed the LSB decision to engage with consumers from the start and recognised it as a good model going forward. The Panel also made several recommendations around consumer engagement.

24. The Panel noted the update from the LSB and thanked Angela for her time.

The Panel noted the update from Angela Latta.

Item 8 and 9 – Projects and consultations updates

25. The Panel Associate presented the projects update.

26. In relation to the Tracker Survey the Panel Associate said that YouGov are working on the final version of the two briefing reports on consumer behaviour and they should be published in July.

27. The Panel Associate presented the paper on consultation responses.

- **The Panel noted the following live consultations: the CLC's consultation on its Accounts Code and the CILEX Reg consultation on the proposal to introduce an alternative route to acquiring additional practice rights for established Fellows.**
- **The Panel noted responses had been submitted to the LSB on the SDT's rule change application for the approval of new Solicitors Rules.**

The Panel noted the projects and consultations update.

Action Point: The vulnerability and segmentation training to be discussed at the next Panel meeting.

Item 10 – Draft agenda 11 September 2019

28. The Panel noted the proposed agenda for the next meeting.

The Panel agreed the agenda for 11 September 2019 meeting.

Item 11 – Any other business

29. The Panel Associate to share the links to the Stephan Mayson papers and an update list of the proposed working groups.