

Sent by email only to consultation@sra.org.uk



31 January 2020

Dear Sir/Madam

Consultation: The SRA's Corporate Strategy 2020–23

The Legal Services Consumer Panel (the Panel) welcomes the opportunity to respond to the Solicitors Regulation Authority's (SRA) consultation on its Corporate Strategy for 2020-23. Please find our views on the consultation below.

The Panel agrees with the SRA's summation of the current challenges and opportunities facing the legal sector and is particularly pleased with the emphasis on monitoring and evaluation, and on being pro-active in the face of technological and other change. The Panel would also like to highlight the imminent return of the Competition and Markets Authority (CMA) to assess the sector against the various transparency recommendations it made in 2016. It therefore remains important that the SRA continues to make progress, especially on quality indicators. We found the tone and language of some parts of the document disappointingly thin on the concept of "putting users at the heart of regulation". The first half of the document appears to show a strong intent to work closely with professional bodies and other regulators, with users appearing almost as an after-thought. It is not until page 17 that we detected a serious emphasis on consumer engagement.

Objective one – setting and maintaining high standards for the profession and ourselves.

As mentioned above, we welcome the emphasis here on monitoring and evaluation. In our view, a key priority in this respect must be implementing the CMA's transparency remedies considering the deficiencies found in the market. We are pleased with the work and progress the SRA has made in terms of mandating for price transparency and information on services, though there is more to be done in evaluating and improving impact. It is also positive that the SRA now publishes aggregated data on first tier complaints. We would continue to encourage the SRA to make rapid steps towards working with the Legal Services Board and other regulators to develop and implement a set framework for quality indicators and the respective metrics.

In November 2019, the SRA introduced new policies allowing solicitors to work in unregulated firms and opening the possibility for solicitors to "freelance". We would suggest that the SRA pays special attention to how these policies are embedding and whether the information remedies designed to mitigate against the reduction in consumer protection are effective. We also expect the SRA to work with the Legal Ombudsman to monitor complaints in this area.

Under this objective the SRA also plans to monitor diversity data and work with stakeholders to encourage continual improvement. We believe it is crucial that the regulator does more than monitor by responding to a slow process. The Panel would

like to see the SRA give supportive steers, guidance and recommendations to improve diversity, especially in seeing progress at senior levels, as well as in monitoring the impact of legal service provision on different groups of users.

Objective two – actively support the adoption of legal technology and other innovation, that helps to meet the needs of the public, business community, regulated entities and the economy.

The Panel agrees that the adoption of new technologies has the potential to broaden and improve the provision of legal services. We are specifically interested in maximising technology's potential to address the access to justice gap. Hence, we support the SRA's plans to proactively use technology to improve access to justice while ensuring proper consumer protection. In that respect, we wholeheartedly support the SRA's view that in maximising the potential of technology for consumers, understanding and addressing the new risks technology brings will be key to the SRA's success.

Objective three – build understanding of emerging opportunities and challenges for the users of legal services, the legal sector and our role in effectively regulating it.

The SRA aims to become an "authoritative commentator" in the changing environment and the challenges faced by consumers. The Panel believes that consumer engagement and research is the primary way for the regulator to deepen its understanding of consumers' concerns. We would like to see a greater emphasis on this in the development of the SRA's plans in this area.

Improving access to justice is an area of special focus under this objective although it cuts across all three strategic objectives. Access to justice is a key issue for many consumers who cannot exercise their rights. Apart from cost, consumers report that it is difficult to navigate the legal system that is often laborious and complex in many areas of law. Technology can indeed be used to support and facilitate access to justice for "desert areas", reduce the cost and the time it takes to get them delivered, but also make the process more straightforward. However, using innovative tools to increase access to justice goes beyond simply using technology and we welcome that the regulator has acknowledged this under the second strategic objective.

We are also supportive of the SRA's plans to work with other legal services regulators, regulators across multiple sectors, and other stakeholders to make sure that people using legal services are protected and can trust both solicitors and regulation.

We would be very happy to meet and discuss any aspect of this response in further detail. Please contact Lau Ciocan for further queries at lau.ciocan@legalservicesconsumerpanel.org.uk.

Yours sincerely



Sarah Chambers

Chair

Legal Services Consumer Panel