

Sent by email only to enquiries@clsb.info



05 February 2020

Dear Sir/Madam

Consultation: Continuing Professional Development

The Legal Services Consumer Panel (Panel) welcomes the opportunity to respond to the Cost Lawyers Services Board (CLSB) consultation on updating and streamlining its Continuing Professional Development (CPD).

We firmly believe that reviewing how the CLSB ensures that Cost Lawyers remain competent throughout their careers is essential. Consumers should be able to trust that practitioners have the necessary skills and knowledge to provide good quality legal services, and that they are kept up to date and relevant over time. The Panel's research shows that while consumers may be able to observe and make their own assessment of service quality, such as promptness, courtesy and administrative efficiency, they are seldom able to assess technical quality. Thus, it is crucial that lawyers maintain their level of competence.

The proposed rules bring a welcome flexibility around the content and development of the training. For example, we support the removal of a rigid list of activities that count towards CPD or any cap on the number of points attainable for each type of activity. Costs Lawyers will now be given discretion to undertake those activities that best help them meet their objectives. The Panel also supports the view that activities carried out as part of normal practice cannot count toward CPD activity.

CLSB will maintain the requirement for 12 CPD hours (points). The Panel agrees that the 12 CPD hours should not be a target, but a minimum requirement. However, the regulator should consider how it can encourage Cost Lawyers to go beyond this minimum requirement.

CLSB will continue to require Costs Lawyers to self-report their CPD activities and the points they obtain as part of the practising certificate renewal process. We support random CPD audit of returns each year and the examination of the evidence for those activities. Moreover, it would be useful for the CLSB to undertake a review after three to four years in order to assess the results of the new rules overall.

The Panel has previously stated¹ that legal services professionals need effective and appropriate interpersonal skills when delivering services to consumers, especially

¹ LSCP, A new route to qualification: New regulations for the Solicitors Qualifying Examination, July 2017.

vulnerable consumers. We are therefore supportive that CPD also covers “dealing appropriately with your client and third parties”. This should also include should emotional competence as an essential skill for lawyers at all stages of their career.

We recognise that the use of legal technology in practices is becoming more prevalent, we would encourage CLSB to consider proposals around training in law tech.

I hope you find these comments helpful. Please contact Lau Ciocan, Consumer Panel Associate, with any enquiries.

Yours sincerely,

A handwritten signature in cursive script that reads "S Chambers".

Sarah Chambers

Chair

Legal Services Consumer Panel