



Minutes

Legal Services Consumer Panel meeting

Date: 29 January 2020

Time: 13:00-17:00

Venue: 3rd floor, The Rookery, 2 Dyott Street, London, WC1A 1DE

Present:

Sarah Chambers	Chair
David Abbott	Member
Adam Cooper	Member (items 5 to 12)
Owen Derbyshire	Member
Michelle Goddard	Member (items 5 to 12)
Paul Crook	Member
Liz Owen	Member (items 5 to 12)
Marlene Winfield	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate
Ramandeep Bhatti	Legal Services Board (Minutes, items 1 to 5)
Warren Davis and	Solicitors Regulation Authority (item 5 only)
Emma Tunley	Solicitors Regulation Authority (item 5 only)
Nicola Tulk	NESTA (item 5 only)
Kari Gerstheimer	MENCAP (item 5 only)
Amar Chauhan	Glow (item 5 only)
Richard Pope	Doteveryone and Resolver (item 5 only)
Steve Brooker	Legal Services Board (item 8 only)

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('The Panel'). Apologies had been received from Mark McLaren.

Item 2 – Declaration of interests

2. None.

Item 3 – Minutes of 30 October 2019 meeting

3. The Chair presented the minutes from 30 October 2019, which had been agreed via electronic correspondence.

The Panel noted the minutes from 30 October 2019.

Item 4 – Matters arising

4. The Chair presented the matters arising.

The Panel noted the matters arising.

Item 5 – Legal Access Challenge – SRA and NESTA

5. The Chair welcomed Emma Tunley and Warren Davis from the Solicitors Regulation Authority (SRA), and Nicola Tulk from NESTA.

6. Nicola provided an update on the Legal Access Challenge. Nicola said that since the last time they attended the Panel, the Challenge received extra funding of £500,000 allowing for them to support eight finalists instead of four. The finalists were announced at the end of September 2019.

7. Nicola also gave an overview of all the applications received, including geographical locations, business type, and area of law targeted by proposed solutions. Emma said this was a learning exercise for the SRA and that one of their objectives was to gain insight into how to promote innovation.

8. Nicola introduced three of the finalists, who in turn gave short presentations on their ideas:

- **Mencap:** Kari Gerstheimer said that following the cuts to social care and rationing funds there is a specific problem with community help and finding information on users' rights. The number of people calling Mencap is rising each year and they are therefore looking at AI solutions. Mencap's 'legal chatbot' delivers early legal help and advice around community care and welfare benefits, directly to people that need it most. The chatbot will be accessible and free to users, available 24/7, and will provide essential information and advice for users with learning disabilities, their families and carers. The chatbot is like an automated legal brain. Users will ask the chatbot questions about legal problems and the chatbot is programmed to respond to these messages with the relevant advice needed. The AI program uses IBM Watson technology, and it will develop the capacity to converse and answer more complex queries.
- **Glow:** Amar Chauhan presented their product, which is a public facing platform enabling individuals and SMEs to efficiently take legal action against organisations in the form of Group Litigation Orders (collective action). This is a legal mechanism allowing groups of individuals with a common grievance to seek redress. It enables collective bargaining power and cost sharing amongst claimants. At present, forming and managing these groups is incredibly difficult and time consuming, because these claims often affect large numbers of people. Glow aims to simplify the process, not only for claimants but for solicitors, litigation funders and insurers. Glow enables these parties to unite and become a powerful force against organisations acting unlawfully. Glow has raised an additional £200,000 and has various legal experts on board.
- **Doteveryone and Resolver:** Richard Pope from introduced MyDigitalRights. Their product is a free and independent one-stop shop for users to exercise their digital rights and access systems of redress when online services fail to respect them. He said that consumers are being left behind by the pace of regulatory and technological change. Even those with the understanding and capital to keep up with this flux face complex and onerous complaints systems to hold online services accountable. MyDigitalRights users will answer eight simple questions to articulate

the issue they face online, understand how their rights are affected and access streamlined support from ombudsmen, regulators, legal support and digital advocates.

9. The following points were raised in the subsequent discussion:

- In relation to Mencap, the Panel asked questions around users' capabilities with regards to access and literacy issues. The Panel questioned whether the chatbot would be a standalone service and whether there would be a caseworker needed. Kari said the chatbot is a triage system and is available 24/7, while a helpline is not.
- The Panel said applicants would need to think about the breadth of foreseeable harms, such as spams etc, and they would need to be able to quickly adapt their models to any changes to the relevant areas of law.
- The Panel highlighted the need to set clear expectations about what will happen to the information users have entered.
- In relation to a question whether the impact of the Legal Access Challenge would be reviewed, Nicola said that it is for the winners to monitor the impact of their idea and NESTA will keep in touch with the winners. However, NESTA will also look more generally at what can be learnt from the Challenge. Emma added that the SRA will use the learnings to look at how to support the regulatory framework can support innovation.
- Nicola said that some of the finalists could approach big technology firms to see if they would be willing to provide any funding and assistance to some initiatives.

10. The Chair thanked the SRA, NESTA and the finalists for their time, and wished them best of luck.

The Panel noted the update on the Legal Access Challenge.

Item 6 – Chair's report and Members' update

11. The Chair presented her report on recent meetings, especially the last Remedies Programme Implementation Group meeting and she commended the presentation held by Pitsford Consulting Ltd. The Panel agreed to invite them to the next Panel meeting.

12. The Chair also recommended to invite Resolver to a future Panel meeting (not the next one) and another Panel member recommended HMCTS as a future speaker in the light of the reforms to the courts made by the Government.

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

Action point: The Secretariat to invite Pitsford Consulting at the next Panel meeting.

Item 7 and 9 – Projects update and consultations

13. The Panel Associate presented the projects update and the upcoming consultations.

The Panel noted the projects update and the future consultations.

Item 8 – LSB’s presentation on the three-year strategy

14. The Chair welcomed Steve Brooker, Head of Policy Development and Research at the LSB. Steve gave a short introduction about the LSB’s three-year strategy (2021-2024) and shared the following:

- a. This will be a strategy for legal services sector, not just a strategy for the LSB. As such, it will define a broad agenda for change and identify how a wide range of organisations can advance this agenda.
- b. Production of a state of the nation style report (an evidence volume and a narrative) to be published in autumn 2020.
- c. Extensive communication and stakeholder engagement throughout the process reaching beyond the ‘usual suspects’, to gather views and ideas but also to advocate, persuade and influence.
- d. The LSB is planning to undertake public engagement by using the public panel the LSB and LSCP are going to establish. This is a great opportunity to hear from the public directly on their issues, concerns and priorities. One Panel member is involved in this workstream and represents LSCP’s views.
- e. The LSB plans to return to the LSCP for a second time to test the draft strategy.

15. The Panel welcomed that the widening of the LSB’s strategy to a vision for the whole legal services sector, not just for the organisation. The Chair believed this showed leadership and a bolder approach in their appetite for risk. The Panel also commended the LSB for a strong focus on stakeholder engagement and for setting up the public panel.

16. Steve asked Panel members for their thoughts on what excites them about the legal services market and what worries them. Some of the issues shared by the Panel are summarised below:

- The Panel was excited by the fact that transparency is moving forward from what to publish to how it should be published, and that the Legal Choices website is an innovative and user-driven website set up to help consumers.
- LawTech was mentioned as exciting for its potential to improve access to justice for savvy consumers. However, the Panel showed concerns about LawTech, as there is a need for a regulatory framework that will assure investors there is clear regulation in place.
- Some other concerns raised by the Panel related to reduced consumer protection and the inadequacy of information remedies to bridge the gap. There is also a lack of standardisation around information remedies which exacerbates the problem.
- The Panel said regulators can improve trust in the legal profession by increasing the availability of information on quality and promoting ongoing competence to promote quality assurance.

17. Steve asked the Panel what they believed should change, and what the LSB and LSCP should do about it. The answers the Panel gave are summarised below:

- The Panel said there should be a good balance between liberalising the market and consumer protection. The Panel said it would continue to influence providing evidence and thought leadership, and the LSB should consult more with the Panel.

- The Panel said it plans to be more ambitious for consumers interest and speak up for consumers, and the LSB should be bold in its leadership aspirations.
- The Government could be more ambitious and supportive of the administration of justice, and the LSB should set out the vision for the sector to enable better regulation.
- The way regulation is developed in the sector is fragmented and the culture does not promote evaluation. This does not benefit consumers nor regulators, thus the Panel and the LSB should put evaluation on regulators' agenda.

18. The Chair thanked Steve Brooker for his time.

The Panel noted the update from the LSB and thanked Steve for his time.

Item 10 – LSCP Work Programme 2020/21

19. The Chair and the Panel welcomed the paper that presented the context and focus for the Panel's next work programme. The Panel did not have major recommendations in terms of the focus of the work programme, but instead considered the organisations with whom the Panel should partner in achieving its objectives for 2020/21.

20. Panel members expressed a strong interest in working with the LSB on the set up of the public panel and in testing policy proposals and ideas with the public panel.

21. Removing barriers and protecting consumers in a way that they feel empowered was another element that the Panel expressed support for to be included in the work programme.

22. The Panel noted the update from the Panel Manager.

The Panel noted the update from the Secretariat and thanked the Panel Manager for her time.

Action point: The Secretariat to continue developing the draft for the March Panel meeting.

Item 11 – Draft agenda for March meeting

23. The Panel noted the proposed agenda for the next meeting. See more under item 6.

Item 12 – Any other business

24. No issues mentioned.