



Minutes – Legal Services Consumer Panel meeting

Date: 12 May 2021

Time: 13:00 – 16:00

Venue: online due to Covid-19 pandemic

Present:

Sarah Chambers	Chair
David Abbott	Member
Paul Crook	Member
Liz Owen	Member
Mark McLaren	Member
Adam Cooper	Member
Lisa Davis	Member
Lola Bello	Consumer Panel Manager
Laurentiu Ciocan	Consumer Panel Associate
Stephanie Boyce	The Law Society (Item 7)
Jane Malcolm	Solicitors Regulation Authority (Item 8)
Juliet Glennie	Legal Services Board (Minutes)

Item 1 – Welcome and Apologies

1. The Chair opened the online meeting and welcomed those present.
2. No apologies have been received.

Item 2 – Declaration of Interests

3. None

Item 3 – Minutes of March meeting

4. The Chair presented the minutes from the 17 March 2021 meeting and had a follow up question regarding the average cost of Solicitors Indemnity Fund claims.

Item 4 - Matter arising

5. All matters arising were acknowledged.

Item 5 – Chair’s report and members’ updates

6. The Panel discussed the Chair’s report, no points were raised.

Item 6 – Project updates and consultation responses

7. The Panel Associate presented the projects update and the upcoming consultations.
8. The Chair asked for views on how we should engage with regulators about practical approaches to consumer focused regulation. The Panel discussed options including drafting a paper about what consumer focused regulation looks like in practice, inviting regulators to conduct a self-assessment and asking consumer panels in other sectors how they have approached this issue.
9. The Panel believes it is important to consider this alongside the LSB's work on regulatory performance and the Secretariat agreed to discuss this at policy level with Angela Latta of the LSB.

Action: To have an initial policy meeting with Angela Latta, the LSB.

Item 7 – Introduction with I. Stephanie Boyce, President of The Law Society

10. The Chair welcomed I. Stephanie Boyce, the new President of the Law Society, and invited her to share the key areas focus during her tenure. Stephanie mentioned that the following will be her focus by the end of 2022:
 - Public Legal Education (PLE) is important, “rights are worthless if you do not know when they’re being taken away”.
 - Diversity, inclusion and social mobility, especially addressing the career gap in the legal profession.
 - Mental health, the long hours and expectations demanded of solicitors.
 - Access to justice and technology, and
 - Brexit and how to champion this jurisdiction of England and Wales.
11. The Chair mentioned the Panel's recent report on ethnic minority consumers' experience in using legal services. Stephanie mentioned there is still less representation of minority communities in the profession. She said that there is still a diversity and inclusion gap in the middle ranks of the profession, which is the normal recruiting ground for the judiciary.
12. The Panel asked Stephanie about the key workstreams she would like the Panel to take up to increase access to justice. Stephanie said that TLS has raised their concerns on remote juries, observations and hearings, and believes there should be proper assurances where technology fails. Another aspect is the issues of concern around online hearings and minority ethnic consumers, who are twice as likely to be jailed via video hearing than White British consumers.
13. The Chair pointed to the opportunity for us to make common cause in making more impact on the sector on access to justice. Stephanie welcomed the prospect of collaboration and joint future discussions with the Panel.
14. The Panel asked about Stephanie's view on the recent case where a law firm sued a consumer for defamation on a review website and what could be done to avoid that in the future. Stephanie said that the SRA may be able to give more guidance in this area.
15. The Panel welcomed Stephanie's shared concerns on how to improve the regulatory framework on unbundling legal services. She said that TLS would support the Panel in encouraging the SRA to provide guidance in this area.

The Panel noted the update and thanked Stephanie for her time.

Action: Invite Stephanie Boyce to the September meeting as the next in a series of discussions over the next year.

Item 8: Solicitors Regulation Authority Business Plan 2021/22

16. The Chair welcomed Jane Malcolm, Executive Director for External and Corporate Affairs at the SRA, who made the following presentation:
 - SRA is focused on setting and maintaining high standards. 92% of their Business Plan is now firm.
 - Their work on innovation and technology aims to improve access to legal services for consumers.
 - The SRA is doing exploratory work on quality indicators by looking at the role of comparison websites.
 - It is also anticipating and responding to change – through work on PLE, Legal Choices, police station leaflet etc.
 - They are currently considering the consultation responses on the Solicitors Compensation Fund.
17. The Chair opened the discussion by asking Jane to what extent the priorities were derived from consumer-focused research. Jane said for this draft business plan the SRA is doing engagement now with a group of neurodiverse people in Birmingham to consider its possible impact. The SRA have also consulted with AGE UK in the drafting stage. In developing its corporate strategy, the SRA worked with focus groups and has used surveys and telephone interviews, and for its work on standards and regulations have used social media platforms.
18. The Chair stressed the importance of weaving the interests of consumers into the governance process when making regulatory decisions, and the need for consumer impact statements. The Panel felt that some decisions appeared not to have been through this process, e.g. there was no evidence of considering consumers in the compensation fund documents, or in work on the proposed imminent closure of the Solicitors Indemnity Fund.
19. Jane said the SRA consulted around policy (compensation fund, enforcement strategy) and evaluation, capturing the diversity of people who make claims on the compensation fund. She said that she will feed our comments to the relevant teams and will ensure that these points come across more clearly in the board papers.
20. The Panel asked whether the SRA could be more proactive in anticipating and responding to change. Horizon scanning is a good example to the rest of the regulatory community, on future role of technology, human help for those most disadvantaged by closing the digital gap. Jane said that shifting much of the transactional work online would free up solicitors' time to spend it communicating more effectively with customers where this was needed. The SRA will provide for all other regulators a summary twice a year of all the developments in LawTech that they capture.
21. The Panel asked about the SRA's approach to monitoring and evaluation, and how much is reflected in this business plan. Jane said they are using the consumer tracker, and in collaboration with the centre for social research, the SRA is working to design an evaluation framework to assess the standards and regulations and the impact of SRA's interventions on diversity and inclusion, for example.
22. The Panel also asked about the SRA's approach to unbundling of legal services. Jane said the SRA strongly supports unbundling and is open to consider how, using SRA

Innovate, providers can experiment with the development of unbundling tech solutions but also ensure it is safe for consumers.

The Panel noted the update and thanked Jane for her time.

Item 9 – LSCP Standardisation paper

23. The Panel discussed the standardisation paper and provided positive feedback on the draft. Members commented that it is important to balance the clarity and brevity of the standardised lines with the necessity for tailored advice to individual circumstances, in particular for vulnerable consumers.

Item 10 - Draft Agenda for 30 June 2021 meeting

24. To invite Martin Coppack, Fair by Design, to the next Panel meeting and continue the discussion on how to get regulators to be more consumer focused.

Action: Invite Martin Coppack, Fair by Design, to the June Panel meeting

Item 11 – Any Other Business

25. None