



Legal Services Board  
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2 Dyott Street  
London, UK WC1A 1DE

Sent by email only to [consultations@legalservicesboard.org.uk](mailto:consultations@legalservicesboard.org.uk)

7 March 2022

Dear Sir/Madam,

**Re: Draft Statement of Policy on Ongoing Competence**

The Legal Services Consumer Panel (Panel) welcomes the opportunity to respond to the Legal Services Board's consultation on its draft statement of policy on ongoing competence.

The Panel has engaged extensively in the development of the ongoing competence policy. We have attended meetings, conferences, and roundtable events to ensure that the rationale and focus for this important work does not depart from the need to protect consumers and ensure that the confidence consumers have in the competence of the legal profession is merited.

This is a well-considered consultation building on many months of extensive engagement with stakeholders within and outside the legal services sector, including other jurisdictions. As such, we find ourselves agreeing with both the generality and most of the finer details of the proposals.

We are of the strong view that the LSB has struck the right balance between articulating the obligations on all Approved Regulators to ensure their regulated communities demonstrate ongoing competence, while respecting Approved Regulators' autonomy to frame and develop options that suit the particular communities they oversee.

The Panel agrees with all the outcomes and measures outlined in the consultation paper, which we believe are well considered and targeted. However, we would like to see firmer mandates around high-risk areas and areas where there is already evidence of incompetence. For example, there is evidence to show that asylum, immigration, and criminal advocacy have had issues relating to quality of advice and competence. These issues have been noted for several years, during which there have been no convincing action plans or timeframes for addressing them. While the LSB's outcomes and proposed options for monitoring and gathering evidence is fit for the purpose of identifying and tackling emerging issues, we are of the view that there needs to be a robust plan for areas where issues have already been identified.

The Panel fully supports and agrees with the types of information regulators should consider collating, specifically information from regulatory activities, supervisory activities, third party sources and consumers' feedback.

The Panel fully supports the LSB's proposals around competence frameworks. We agree that the LSB should set out expectations around what should be included, but each regulator should develop its own framework. Our only suggestion is for there to be a clear and mandatory competence around understanding and responding appropriately to vulnerability, which can be included in the client care section.

Should you have any questions pertaining to this response, please contact Lola Bello, Consumer Panel Manager, ([Lola.Bello@legalservicesconsumerpanel.org.uk](mailto:Lola.Bello@legalservicesconsumerpanel.org.uk)).

Yours sincerely,

A handwritten signature in black ink that reads "S Chambers". The signature is written in a cursive, flowing style.

Sarah Chambers  
Chair  
Legal Services Consumer Panel