

Minutes

Legal Services Consumer Panel Meeting

Date: 10 March 2010

Time: 11:00 – 14:30 pm

Venue: Victoria House, Southampton Row, London WC1B 4AD

Present:

Dianne Hayter	Chair
Jeff Bell	Member
Graham Corbett	Member
Elisabeth Davies	Member
Emma Harrison	Member
Paul Munden	Member (Items 1-9)
Neil Wightman	Member
Karin Woodley	Member
Steve Brooker	Consumer Panel Manager
Alanna Linn	Consumer Panel Associate
Julie Myers	Legal Services Board
Lucas Ford	Legal Services Board (Items 7 and 8)
Zahida Manzoor	Legal Services Complaints Commissioner and Legal Services Ombudsman (Items 7 and 8)
Rob Bartram	Office of the Legal Services Ombudsman (Items 7 and 8)
Elizabeth France	Office for Legal Complaints (Items 7 and 8)
Adam Sampson	Office for Legal Complaints (Items 7 and 8)
Alan Terry	Vanilla Research (Item 10)

Item 1 – Welcome and apologies

1. The Chair welcomed the Legal Services Consumer Panel ('the Panel').
2. The Chair advised that Paul Munden had apologised that he would need to leave at 1.30pm.

Item 2 – Introductions and declarations of interests

3. There were no declarations of interest or gifts.

Item 3 – Minutes of the 27 November meeting

4. The Chair presented the Draft Minutes for the 14 January November 2010 meeting of the Panel.

The Panel approved the Minutes, subject to the addition of Graham Corbett's name to the list of those present

Item 4 – Matters Arising

5. No matters arising

Item 5 - Chair's report

6. The Chair presented her report, covering recent meetings and speaking engagements.
7. In addition to the written report:
- the Chair advised that she also met with two journalists, Neil Rose and Frances Gibb;
 - Members reported back on meetings held or scheduled with stakeholders, including a meeting with the TUC and a planned stakeholder meeting in Wales on 24 May;
 - The Chair reported that concerns about immigration legal advice had arisen in a number of meetings, and that the Panel may want to consider it in the future. Panel members discussed the importance of watching this issue and agreed to share any information that became available through their other roles. It was also noted that the Legal Complaints Services has a team that focuses on legal immigration issues, and this may be something for the new Legal Ombudsman to consider;
 - The Chair noted that she had attended the Ministry of Justice launch of its baseline research for the Legal Services Act 2007. A copy of the research report was provided to each panel member; and
 - The Chair advised that the Legal Ombudsman (the new trading name for the Office of Legal Complaints) would shortly be releasing a consultation on the publication of decisions to which the Panel would want to respond.

The Panel noted the paper and the Memorandum of Understanding with the OLC, and additional items raised.

Item 6 – Work Programme

8. The Consumer Panel Manager presented a Draft Work Programme to the Panel.
9. Panel members supported the Draft Work Programme subject to a number of minor changes to text, layout and title, noting that its audience was the LSB,

front-line regulators and similar organisations rather than a wider public. Panel members also agreed that the draft Delivery Plan should be included in the Work Programme.

10. Panel members discussed the possibility of an additional consumer-facing document and section of the website.

Action:

The Consumer Panel Manager to prepare a revised version of the Work Programme, based on the comments made, for submission to the next meeting of the Legal Services Board on 24 March 2010.

The Consumer Panel Manager to circulate 3 potential dates for the proposed consumer engagement seminar, preferably in July 2010.

The Panel agreed:

- **to the Consumer Panel Manager preparing a final version of the Work Programme in line with the comments provided;**
- **to the Work Programme being provided to the Legal Services Board for its endorsement; and**
- **to consider further the development of consumer-facing information about the Panel's work.**

Item 7 – Lessons from previous complaints arrangements

Item 8 – Working with the Legal Ombudsman

11. The Chair welcomed Zahida Manzoor, the Legal Services Complaints Commissioner and Legal Services Ombudsman accompanied by Rob Bartram, and Elizabeth France, Chair of the Legal Ombudsman, and Adam Sampson, Chief Executive and Chief Legal Ombudsman, to the Panel meeting.

12. Zahida Manzoor outlined her experiences of legal complaints and highlighted the importance of:

- monitoring the work of the Approved Regulators;
- ensuring the accessibility of legal services;
- independent consumer satisfaction surveys;
- a complaints-handling systems being able to identify heads of complaint, and help consumers articulate their problems; and
- examining how the new Legal Ombudsman will be measuring its performance.

13. Elizabeth France and Adam Sampson presented their expectations of the new Legal Ombudsman and the key changes to the complaints handling system. Key points raised included:

- Complaints handling under the Legal Service Act 2007 will change how the system works, with different roles for the Legal Ombudsman, the LSB and the Panel.
- The Legal Ombudsman will be the second and final tier of complaints handling, which places greater emphasis on ensuring first tier complaints are handled well.
- There are both positives and negatives about publishing the names of the firms in decisions. This will be subject to a consultation paper that should be released in late March.
- The Legal Ombudsman board is very interested in learning from Panel members experiences, and to involve the Panel in the development of the service.

14. In discussion, Panel members noted the advantages of naming those lawyers or firms against whom there had been an award or adverse finding, and also emphasised the importance of good communication training for Ombudsman staff so that they could pick up the real issues behind a complaint, and also promote access to their service.

15. In further discussion after the visitors had left, the Panel noted its interest in working with the Legal Ombudsman to ensure that its processes were consumer-friendly, accessible and effective. Jeff Bell and Emma Harrison offered to visit the Legal Ombudsman offices in Birmingham for further discussion.

The Panel agreed:

- **The Chair would draft a letter to the Legal Ombudsman summarising the points made and offering the Panel's input into its recruitment, staff induction and complaint-handling systems.**
- **Jeff Bell and Emma Harrison to visit the Legal Ombudsman offices in Birmingham in advance of the next Panel meeting.**

Item 9 – Measuring our success

16. The Consumer Panel Manager presented a paper on how to measure the impact of the Panel's work.

17. Panel members discussed the proposed steps for measuring the Panel's impact, noting that the proposed development of a Consumer Welfare Index was approved at the last meeting. Members agreed that the Panel should have some visibility although mainly in the professional press. It was noted that the Panel would need to be respected for the quality of its work as well as such quality being an essential for our effectiveness.

18. Julie Myers stated that the LSB is also considering how to measure its impact.

The Panel endorsed the paper, emphasising the importance of being transparent about the impacts of our work, and noting the difficulty of developing suitable proxies for measuring this impact.

Item 10 – Referral Arrangements

19. The Consumer Panel Manager provided an update on the referral arrangements project, noting that 73 submissions had been received following the call for evidence. Those submissions for which authors had approved publication had been placed on the Consumer Panel website.
20. Alan Terry presented the findings of the consumer research commissioned as part of this project. The Panel noted that the final report would be received in late March 2010.
21. Panel members raised the need to discuss referral arrangements with charities as none of these had submitted comments on the issue.
22. The Consumer Panel Manager advised that a draft report would be provided to the Panel at the end of April, for approval at the May Panel meeting.

The Panel notes the progress on the project, and agreed:

- **the Consumer Panel Associate would provide copies of Allan Terry’s presentation to the Panel, as well as a list of all submissions received.**
- **Emma Harrison would work with Elisabeth Davies and Karin Woodley to put together information regarding the use of referral arrangements by charities.**

Item 11 - Consultation responses

23. The Consumer Panel Manager presented a paper on consultation responses.

The Panel noted the submissions made:

- **to the OLC on “Latest moves by the OLC”;**
- **to the SRA on “Assigned Risk Pool review” and “Outcome-based regulation”;** and
- **to the LSB on “ABS: approached to licensing” and “First-tier complaints handling arrangements”.**

The Panel agreed to the proposed policy lines on draft responses:

- **to the BSB/IPS/SRA on “Advocacy Standards”;** and
- **to the CLC on “Applicaiton to regulate Licensed Conveyances in the exercise of Rights of Audience and Conduct of Litigation”.**

Item 11 - Any other business

24. No other business was raised.

Item 12 - Draft agenda for next meeting – 12 May 2010

25. The Chair presented the Draft Agenda for the next meeting in May 2010

The Panel approved the Draft Agenda for the May 2010 meeting.