

Minutes

Legal Services Consumer Panel Meeting

Date: 1 May 2013

Time: 13:00 – 17:00hrs

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

Present:

Neil Wightman	Member (chairing meeting)
Graham Corbett	Member
Emma Harrison	Member
Frances Harrison	Member
Paul Munden	Member
Karin Woodley	Member
Steve Brooker	Consumer Panel Manager
Harriet Gamper	Consumer Panel Associate
Julie Myers	Legal Services Board
Crispin Passmore	Legal Services Board (items 1-10)

Item 1 – Welcome and apologies

1. The meeting chair welcomed the Legal Services Consumer Panel ('the Panel'). The Panel welcomed Frances Harrison, a new member, whose term started on 1 March. The meeting chair advised that Elisabeth Davies and Jeff Bell had sent their apologies.

Item 2 – Declarations of interest

2. Karin Woodley advised she is now Chief Executive of Cambridge House, which runs a law centre as part of its activities. Frances Harrison advised she is the vice chair of Brighton and Hove Citizens Advice Bureau.

Item 3 – Minutes of 28 January meeting

3. The chair presented the draft minutes for the 27 February 2013 meeting.

The Panel approved the Minutes of 27 February 2013.

Item 4 – Matters arising

4. Item 4 – the Panel Associate updated on the work on comparison websites. The Panel had worked successfully with the SRA and the CLC to progress self-regulatory good practice standards for websites to self-assess against and sign up to. A joint announcement with the SRA and the CLC was due on 8 May.
5. Item 6 – Graham Corbett advised he was to meet with Victoria Phillips, Head of Employment Rights at Thompsons Solicitors, however this meeting had been postponed and would be rearranged.
6. Item 8 – The LSB Board had discussed our report on empowering consumers and accepted its recommendations. The LSB executive would now revisit its formal response to the Panel and its communications with the approved regulators following feedback by the Panel Chair and the Board.

The Panel noted the matters arising.

Item 5 – Chair’s report

7. In addition to the written report, the meeting chair advised:
 - A process had been agreed with the Legal Ombudsman to take forward the issue of third party complaints. In June the Panel Manager will visit the Legal Ombudsman’s offices to interrogate their database and gather information on third party complaints which it was unable to investigate. A working group meeting will then be established to draw up a specimen list of third party complaints for consideration by the OLC with a view to it consulting on these as part of the next scheme rules review.
 - Graham Corbett highlighted the Times Top 50 employers for women table, which included a number of law firms. The Panel agreed to write to these firms in order to find out more about what they do to achieve this success.
 - Crispin Passmore updated the Panel on the LSB’s ongoing work on diversity.

The Panel noted the Chair’s report.

Item 6 – Members’ update

8. Emma Harrison advised that she had reviewed the draft interim report from the Norah Fry Research Centre on legal services consumers with learning disabilities. The interim report provided a lot of insights and the final report was due shortly. The Panel Associate advised that once the report was published it would be circulated to all Panel members.
9. Frances Harrison advised that she had been thinking about the importance of monitoring EU issues, especially given the demise of Consumer Focus. This could be a good way to gather best practices and ideas. There was a similar organisation to the Panel in the Netherlands, for example. The Panel agreed that the issue merited further consideration and should be discussed further at a future meeting.

The Panel noted the Members’ update.

Item 7 – Financial protection review

10. Paul Munden presented the draft financial protection review report, which was prepared in answer to an LSB advice request.
11. The Panel members discussed the draft report, including:
 - The overall conclusions and recommendations
 - Potentially contentious issues
 - The section on alternative options
12. The Panel endorsed the overall conclusions and recommendations, with some changes.
13. The Panel Associate advised that the report would be updated with further data, a small amount of which was still outstanding from stakeholders. Updates would also be made to the sections on small businesses, the ARP and independent governance.
14. The finalised report would be presented to the LSB Board's July meeting.

The Panel approved the financial protection review subject to comments made.

Item 8 – Risk and responsibility

15. The Panel Manager presented a consumer challenge paper on risk and responsibility.
16. Panel members discussed the paper, including:
 - The assertion that some consumer risk is healthy
 - The view that in general consumers are poorly placed to manage risk in legal services
 - The key theme that legal services are a special case, and that our advice should not necessarily mirror policy directions in other parts of government
 - The view that the current level of risk consumers bear is about right
 - The conclusion that any transfer of risk should be gradual and only follow once there is evidence that consumers are empowered, and even then a strong regulatory framework is still necessary.
17. The Consumer Panel Manager thanked Frances Harrison for her input on this report.

The Panel approved the draft risk and responsibility consumer challenge paper.

Item 9 – Annual report for 2012-13

18. The Panel Associate presented the Annual Report for 2012-13.
19. The Panel commented positively on the new format which has been developed, and approved the report subject to a few minor changes.

The Panel approved the Annual report.

Item 10 – Consultation responses

20. The Consumer Panel Associate presented the paper on consultation responses

21. The Panel:

- **Noted the live ILEX Professional Standards *Application to become an approved regulator for probate and reserved activities* consultation**
- **Noted the live Council for Licensed Conveyancers *Standalone Licences* consultation**
- **Noted the live Bar Standards Board *The development of a risk-based approach to supervision* consultation**
- **Noted the live Ministry of Justice *Transforming legal aid: delivering a more credible and efficient system* consultation**

Item 11 – Project approaches and updates

22. The Consumer Panel Manager updated on the progress of current projects.
23. Regarding consumer diversity the Panel agreed to ask the BSB for an update on the project they were carrying out on immigration. Given the work the BSB was doing it, the Panel leads would discuss switching focus to other aspects of consumer vulnerability.
24. The Panel expressed frustration that since the last general election it had written on three separate occasions to seek meetings with the Minister responsible for legal services regulation (Jonathan Djanogly MP and Helen Grant MP), but none of these letters had resulted in a meeting.
25. It was planned to publish the 2013 Tracker Survey in a series of short bulletins highlighting various elements revealed by the data. All bulletins, as well as the survey data, would be circulated to the Panel.
26. The Panel Associate attended a workshop on ending the transitional provisions for special bodies. The provisional timetable was for the transitional provisions to end in January 2016.

27. The Panel noted the paper.

Item 12 – Draft agenda for next meeting – 27 June

28. The Consumer Panel Manager presented the proposed agenda for the 27 June meeting. It was decided to postpone the paper on skills, which was originally on the 1 May agenda, to this meeting. There would be a lunch briefing on the LSB's research on small businesses as consumers of legal services.

The Panel agreed the proposed agenda.

Item 13 – Any other business

29. None.