

**Consultation by the Costs Lawyer Standards Board (CLSB)
Proposed 2019 Costs Lawyer practising certificate fee (PCF 2019)**

Issued to: Costs Lawyers authorised and regulated by the CLSB as at 19 July 2018

1. Attachments

- (i) CLSB budget for 2019
- (ii) CLSB accounts for year ended 31 December 2017 (abbreviated)

2. Introduction

The remit of the CLSB as an approved regulator is to set and maintain standards within the profession of the Costs Lawyer to ensure consumer protection. This remit is wider than purely complaints management with regulatory objectives set out under the Legal Services Act 2007 which include:

- Protecting and promoting the consumer/public interest.
- Improving access to justice.
- Encouraging an independent, diverse and effective profession.
- Setting and maintaining standards in education.

3. Proposed PCF 2019

The CLSB undertakes only permitted purposes under the Legal Services Act 2007. It will raise funding for 2019 by way of the PCF 2019. The CLSB is pleased to advise that through continued sound financial management it proposes to keep the fee at £250.00 for the eighth consecutive practising year.

4. The Association of Costs Lawyers (ACL)

The ACL, the profession's representative body, is a voluntary membership organisation. Being a member of the ACL does not afford you any authorised rights under the Legal Services Act 2007. It is not a requirement that you are an ACL member to hold a Costs Lawyer practising certificate issued by the CLSB.

5. Benefits of a Costs Lawyer practising certificate

There are many benefits in holding a Costs Lawyer practising certificate issued by the CLSB, these include:

- (i) You will be personally authorised under the Legal Services Act 2007 to conduct the following reserved legal activities:
 - The exercise of a right of audience
 - The conduct of litigation
 - The administration of oaths

- (ii) You can claim a better hourly rate grade than those not authorised.
- (iii) You will be evidencing to clients, the courts and fellow lawyers that you are qualified, regulated, have professional indemnity insurance, offer a complaints handling process and undertake continuing professional development.
- (iv) Your name will appear on the public domain register of authorised and regulated Costs Lawyers at www.clsb.info a copy of which will be sent to all Costs Judges at the beginning of 2019 for their reference during the year.
- (v) If you have given permission for your employers address and phone number to appear on the public domain register, this increases potential client contact.
- (vi) You can apply to the CLSB to become an Accredited Costs Lawyer which enables you to provide CPD to legal professionals and claim CPD points yourself for doing so. On holding this status, your name will appear on the Accredited Costs Lawyer register on the CLSB website at www.clsb.info.
- (vii) You can use free of charge (under licence) the CLSB mark of regulation to evidence on communications that you are authorised and regulated by the CLSB.
- (viii) You and your family can use, free of charge, the support of LawCare. This is a confidential service which supports the mental health and wellbeing of legal professionals and their family.

6. Permitted purposes

All activities provided for in the 2019 CLSB budget are for permitted purposes set out under the Legal Services Act 2007 and the 2019 PCF will be used for no other purpose. . Activities to fulfil those permitted purposes include:

- Monitoring and managing regulatory risks.
- Investigating conduct complaints, initiating disciplinary action where appropriate.
- Monitoring first-tier complaints, second tier complaints and service complaints to the Legal Ombudsman to ensure fitness to practice.
- Monitoring professional indemnity insurance.
- Monitoring continuing professional development.
- Monitoring complaints procedures are in place.
- Maintaining the public domain register of authorised and regulated Costs Lawyers.
- Maintaining the public domain register of Costs Lawyers accredited to provide CPD.
- Oversight of means of entry into the profession to ensure accessibility & standards.
- Maintaining the Costs Lawyer Handbook as being fit for purpose.
- Issuing and updating guidance notes as required.
- Managing the CLSB mark of regulation.
- Undertaking statistical analysis to establish trends.
- Consulting on regulatory arrangement change where considered appropriate.
- Responding to consultations.

- Working with the Legal Services Board, Legal Services Consumer Panel, Legal Ombudsman, Ministry of Justice, CMA and BEIS on regulatory arrangements.
- Protecting human rights and fundamental freedoms.
- Promoting relations with national or international bodies, governments or the legal professions of other jurisdictions e.g. Competition & Markets Authority on implementing the outcome of their 2017 report.

7. Annual financial levies

Out of the PCF 2019, the CLSB has to pay a mandatory annual levy to both the Legal Services Board and Legal Ombudsman. For 2019, this is expected to be £5,000 to the Legal Ombudsman and approx. £14,000 to the Legal Services Board.

8. Tax Relief under SI 1126/2013: The Income Tax (Professional Fees) Order 2013

Tax relief on the PCF 2019 can be claimed under the above statutory instrument which covers *“fees payable to the Costs Lawyer Standards Board on applying for a costs lawyer practicing certificate.”*

9. Question asked under this consultation

Do you agree with the proposed 2019 PCF in the sum of £250.00?

10. How to respond

The closing date and time for responses is **Midnight on Monday 10 September 2018.**

Responses may be submitted by:

Email: enquiries@clsb.info

Post: CLSB, Centurion House, 129 Deansgate, Manchester, M3 3WR

Dated: 19 July 2018