

ACTIVITY REPORT: October – December 2014

Overview

This has been a particularly productive period with the publication of two major reports. Our 2020 report, which responded to the LSB's commission, was launched at the Legal Futures Era of the Entrepreneur Conference and has attracted lots of interest and praise. The third edition of our flagship Consumer Impact Report was also published. This concluded that consumers are benefiting from the competition reforms, but progress is still less than it should be in several important areas.

We also published a practical guide to help regulators identify, understand and respond effectively to consumer vulnerability based on a British Standard (BS18477) in this area. Christine Keemskerk, chair of the BSI Consumer and Public Interest Network, kindly wrote a foreword to the guide.

Our McKenzie Friends report and wider litigants in person work has continued to fuel debate. Over the period, we gave oral evidence to the Justice Select Committee, discussed the issues with Shailesh Vara MP and spoke at the Civil Justice Council's annual major event on this subject.

The Panel met twice over the period. In October, the Panel signed off the 2020 report, discussed our EU work and received a presentation from Crispin Passmore. Our December away day reviewed the past year and progressed thinking on our next three year strategy and annual work programme.

Update on planned projects

Project	Activity
2020 commission	Completed and launched at Legal Futures conference
Complaints	OLC decided to carry out more work on third party complaints after finding there is scope for them in 'clearly and tightly defined' cases
Consumer Impact Report	Published in December
Consumer vulnerability	Guide on consumer vulnerability published
Litigants in person	Gave evidence to Justice Select Committee and panellist at Civil Justice Council annual forum
Open data	CLC, CLSB, SRA, LeO and SDT published core data set, written commitments achieved from the remaining regulators
Self-help tools	Fieldwork concluded, market research agency is drafting a report
Unbundling research	Research commissioned; fieldwork to take place in Q4

Update on unplanned work

Our only consultation response over this period was to agree with the SRA's proposals that regulation of consumer credit activities by solicitors should be transferred to the FCA.

Elisabeth and the Consumer Panel Manager met with Shailesh Vara MP. The main areas of discussion were litigants in person and unbundling legal services.

Joint working with LSB colleagues is continuing to make good progress on our open data initiative. Since the last activity report, the SRA and SDT have both released basic regulatory data in a machine readable format. In the SRA's case, data will only be provided to websites signed up to the Panel's self-accreditation scheme for comparison sites. This was not at the Panel's suggestion, and indeed is contrary to our wishes, but it nevertheless represents a good platform on which to build. All the approved regulators have either published the data or made a written commitment to do so.

In November, the OLC considered a report prepared by the Legal Ombudsman staff on third party complaints. This followed work by a steering group established following pressure from the Panel. The OLC considered it would be premature to propose changes to the scheme rules as part of wider changes required to comply with the ADR Directive. However, it was agreed that there were some cases where access to redress would be helpful, if the circumstances in which the OLC could get involved could be clearly and tightly defined. An update is due in July once further work is done.

Elisabeth Davies blogged on self-lawyering following our 2020 report, and Catherine Wolthuizen blogged on our guide for regulators on consumer vulnerability.

Presentations: Elisabeth to the Legal Wales Conference, Civil Justice Council forum on litigants in person and Financial Services Consumer Panel. Andy Foster launched our 2020 report at the Legal Futures Era of the Entrepreneur Conference with Elisabeth participating in a panel debate.

Selected external events/meetings: Shailesh Vara MP; SRA; BSB; CILEx; Bar Council; Law Society; Personal Support Unit; APIL; Resolution; Consumer Panel Chairs; Westminster Forum on the LETR

Future activity

The main focus will be developing our next three year strategy and annual work programme.

Reports: Self-help tools research.

Presentations: OLC's January meeting.

Consultation responses: LSB Draft strategy and business plan; SRA Separate Business Rule; SRA Competence Statement; Legal Ombudsman Draft strategy and budget.

Steve Brooker
December 2014