



ACTIVITY REPORT: SEPTEMBER – DECEMBER 2013

Overview

The Panel's report benchmarking the Legal Ombudsman against other redress schemes was published. The report considered comparative performance in four areas: jurisdiction; timeliness; quality; and cost. The media coverage focused on unit cost and the report informed the LSB Board's consideration of the Legal Ombudsman's proposed budget for 2013/14. A well attended seminar organised by the College of Ethics and Law at UCL was held on the wider issues raised by the report.

Frances Harrison ran a workshop with board members and staff at the CLC to test our draft consumer principles tool. A similar event was held with LSB colleagues and the LSB has agreed to incorporate our work into their internal policy toolkit. These events have enabled us to refine the tool with the confidence that it will be of genuine practical use to regulators.

An issues paper on the regulatory implications of the anticipated rise of litigants in person was developed and shared with potential partners. Three potential areas of focus were identified: regulatory barriers to unbundling legal services; duties of opposing advocates towards litigants in person; and the emerging market of McKenzie Friends who charge for their services.

The Panel met twice over the period. In October it considered litigants in person, the draft report benchmarking the Legal Ombudsman and EU relations. In December we held our annual strategy day attended by both existing and new panel members.

Update on planned projects

Project	Activity
Accreditation schemes	Questionnaire issued to schemes and 100% response rate achieved
Complaints	Legal Ombudsman benchmarking report completed and seminar held in partnership with UCL
Consumer Impact Report	Completed in Q1
Consumer principles	Principles road-tested with CLC and LSB and report finalised
Diversity	Completed in Q2
Financial protection	Completed in Q1, LSB response to advice published in Q3
Litigants in person	Scoping completed and potential partners identified. Project on 'professional McKenzie Friends' started
Self-help tools	Research specification due to go out to tender shortly
Trust event	See Q1 report – Law Society withdrew support for project

Update on unplanned work

Our consultation responses over this period:

- LSB draft statutory guidance on LETR
- LSB consultation on lay chairs
- Submission to Jeffrey Review on the independent criminal advocacy market
- Ministry of Justice revised proposals on legal aid

The steering group to inform the Legal Ombudsman's consideration of third party complaints will begin work. Members will include a regulator and representative body in addition to the Panel.

Elisabeth Davies posted blogs on: the consumer principles; our approach to 'unfinished business'.

Presentations: CILEX event in October on LETR report; to the Conveyancing Forum on third party complaints. Events: Civil Justice Council event on litigants in person; APPG on Victims and Witnesses; BSB seminar on vulnerable witnesses. Meetings: Ministry of Justice EU team; CLC; IPReg; IPS; Which?; CJC Working Group on litigants in person.

Future activity

We will develop our work programme for 2014/15 and present this to the March Board.

We will analyse the progress made by accreditation schemes two years after our report based on self-completion questionnaires and hold a seminar. We expect to complete this work in March.

We will interview professional McKenzie Friends to build a picture on this emerging market and hold a seminar to discuss possible remedies. We expect to complete this work in March.

The Panel will consider a paper on progress on opening up the professional registers.

We will continue our work with the LSB to jointly commission a research study on online self-help tools, using an innovative approach to examine online divorce services as a case study.

We will respond to: the SRA consultations on their response to the LETR and on maximum fine limits; to the Legal Ombudsman's consultation on its new strategy; and to the BIS consultation on implementation of the ADR Directive.

We have signed a partnership agreement with BEUC – the umbrella body for consumer bodies in the EU – and we have several meetings arranged for a one-day field trip to Brussels.

We say goodbye to four of our founding Panel members as their terms of office expire. Four new Panel members are due to begin their terms on 1 April.

Steve Brooker
January 2014