

ACTIVITY REPORT: JANUARY – MARCH 2014

Overview

The Panel published a report on fee-charging McKenzie Friends. The overall message of the report is that the potential benefits to litigants outweigh the potential risks and they should be accepted as a legitimate feature of the legal services market. Achieving this acceptance will require a cultural shift and there is an important role for government and senior judges to change attitudes. Equally, we see that McKenzie Friends need to play their part in changing attitudes through effective self-regulation. We think existing tools can be better used to tackle the minority of bad providers and there is a need to educate litigants about the benefits and pitfalls of using McKenzie Friends.

Our progress report on accreditation schemes was also published. Overall, the direction of travel is encouraging and there is improvement in each of the 10 assessment areas. However, as a whole, many schemes still have a long way to go to become credible signals of quality. Scheme information to consumers has improved the most. The weakest areas are lack of lay input and mechanisms to incorporate consumer feedback and engage with complaints.

The Panel met twice over the period. In January, we reviewed our communications approach, considered the next work programme and discussed options on making progress on opening the professional registers. In March we agreed our 2014/15 work programme and approved reports on fee-charging McKenzie Friends and accreditation schemes. At this meeting, we also said goodbye to four of our founding members.

Update on planned projects

Project	Activity
Accreditation schemes	Report published
Complaints	Benchmarking report completed in Q3
Consumer Impact Report	Completed in Q1
Consumer principles	Report published, training session held with SRA staff
Diversity	Completed in Q2
Financial protection	Completed in Q1, LSB response to advice published in Q3
Litigants in person	Report on fee-charging McKenzie Friends published
Self-help tools	Research is in the field
Trust event	See Q1 report – Law Society withdrew support for project

Update on unplanned work

Our consultation responses over this period:

- LSB – appointments and reappointments to regulatory boards
- SRA – Training for Tomorrow: a new approach to continuing competence
- SRA – minimum strength rating for PII insurers
- SRA – increasing the SRA’s internal fining powers
- Legal Ombudsman – draft strategy and budget 2014-17

The Panel and LSB jointly chaired a meeting bringing together regulators and comparison websites on the issue of opening the professional registers. This produced a commitment from the regulators to release basic regulatory data in a machine readable format.

The steering group to inform the Legal Ombudsman’s consideration of third party complaints began work. Members include the Law Society and CLC, in addition to the Panel.

Elisabeth Davies posted blogs on: professional titles; and the ‘jagged edge’ (issues for lawyers and clients understanding what is and isn’t devolved to Wales). Frances Harrison posted a blog following a visit to BEUC and EU institutions in Brussels.

Presentations: Catherine Wolthuizen spoke at a Westminster Forum event on technology and the law. Elisabeth was interviewed on BBC4 Radio You and Yours about online DIY divorce tools.

Events: Panel seminars with accreditation schemes and McKenzie Friends; Legal Ombudsman reception; Civil Justice Council event on the Jackson reforms; BSB seminar on complaints; launch of Legal Choices website; launch of new BSB Handbook; EU Consumer Summit; Professor Richard Moorhead inaugural lecture. Selected meetings: Various stakeholders in Wales; Sir Bill Jeffrey; Legal Ombudsman Chair and Chief Ombudsman; Julie Brannan, SRA; Keele University CLOCK Scheme.

Future activity

We will begin our work programme for 2014/15 and publish findings from the 2014 Tracker Survey.

Events: a seminar on our McKenzie Friends report in Wales; presentation to the Centre for Social and Legal Studies conference in Oxford on the ombudsman benchmarking report; presentation to the BEUC General Assembly on the Panel’s role; presentation of the consumer principles tool to the ILEX Professional Standards board meeting; meeting of the Regulators’ Forum.

Consultation responses: Justice Select Committee inquiry on the impact of LASPO; implementation of the ADR Directive (BIS); fine limits (IPS); changes to guidance on returning instructions (BSB).

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April 2014