To:	Board		
Date of Meeting:	27 April 2010	**Item:**	Paper (10) 34

Title:	Outline process for handling judicial review claims
Workstream(s):	N/A
Introduced by:	Bruce Macmillan, General Counsel bruce.macmillan@legalservicesboard.org.uk / 020 7271 0084
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Status:	Protect

Summary:

LSB Legal, supported by its external legal advisors, has created an outline process for handling judicial review claims. This is summarised at **Annex A**, which is provided **for information** only.

The Board is invited to note that:

- the Chairman and the Chief Executive will be informed as soon as a potential claim has been identified as more than 'speculative';
- the proposed process is indicative only, and that the Team may depart from the process to take account of the particular circumstances of the case;
- the involvement of two or three Board Members will be sought at an early stage, to provide external input. The full Board (or a duly formed committee) will be asked to decide whether a threatened claim should be contested. The Board may then choose to re-consider the matter in the event that formal proceedings are received, or it may delegate that decision to the Chief Executive and/or General Counsel, provided that the claim is substantially as set out in earlier correspondence; and
- in the event of a claim for judicial review, substantial resources may be diverted to the Core Team dealing with the defence, and there may be an impact on the progress of other projects pending the completion of the issues being contested.

N.B. Detailed process notes accompany the Annex and are available on request.

Risks and mitigations	
Financial:	N/A
FoIA:	N/A
Legal:	N/A
Reputational:	N/A
Resource:	N/A

Consultation	Yes	No	Who / why?
Board Members:	✓		David Edmonds
Consumer Panel:		✓	N/A
Others:	N/A		

Recommendation:
The Board is invited to note LSB's outline process for handling judicial review claims.

ANNEX A

Indicative procedure and timetable for a judicial review