



## ACTIVITY REPORT: SEPTEMBER-DECEMBER 2011

### Overview

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There have been three substantial outputs this quarter. First, our advice to the LSB on Voluntary Quality Schemes assessed 13 such schemes against 10 desirable characteristics that we developed in collaboration with scheme operators. Second, a research report on the legal needs and experience of small charities, which found they are struggling to keep up-to-date with their legal obligations. We also held a research seminar bringing together representatives from government, regulators, representative bodies and providers in the charities and legal sectors. Third, an analysis of complaints received by the Legal Ombudsman on probate and estate administration following a three-day visit to their offices to use their case management system.

There has been good progress in other projects. The Deaf Studies Trust was appointed to conduct qualitative research with deaf consumers in our partnership project with the SRA and Action on Hearing Loss. The first draft of our comparison websites report has also been completed based on a series of interviews with industry participants to explore barriers to establishing such websites in legal services, development of standards and mystery shopping against these standards.

The Panel met twice in this period. The meeting in October approved our report on Voluntary Quality Schemes and agreed our response to the LSB's consultation on the boundaries of regulation and interim submission to the call for evidence on will-writing, probate and estate administration. The December meeting was our annual strategy day when we carried out a review of the year and did our first thinking on the 2012/13 work programme. The meeting also considered the draft comparison websites report and response to the Legal Ombudsman Business Plan consultation.

### Update on planned projects

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Project	Activity
Comparison websites	Draft report completed
Quality schemes	Advice published in November
Small charities	Research seminar in November and report published in December
Special bodies	LSB/Panel are working collaboratively in a project team approach to develop a discussion paper
Vulnerable consumers	Deaf Studies Trust appointed and completed qualitative fieldwork
Will-writing	Interim submission on probate and estate administration in October

## **Update on unplanned work**

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We provided a detailed response to the LSB consultation on the boundaries of regulation. We said that the best way of achieving the Panel's vision is by empowering consumers to drive competition between diverse providers but regulation is sometimes needed to support them in this role. The LSB's role should be promoting competition between diverse providers in a regulated market place. We also said that: the Legal Ombudsman's jurisdiction should be proactively extended; there should be a shift to risk-based regulation focused on the activity and on entities; that the appetite, capacity and capability of the approved regulators will influence views on the sustainability of the current regulatory model; and a key challenge would be to develop a simple and coherent regulatory landscape that consumers can make sense of.

We gave broad support to the BSB's proposals for new system for CPD. We said that greater freedom for the profession to undertake and self-certify appropriate CPD must be backed-up by a genuine risk of sanction if this freedom is abused and called for random and targeted, risk-based checks as part of more rigorous oversight of CPD compliance.

## **Future activity**

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We will participate in the Triennial Review workshops for reviews of both the LSB (including the Consumer Panel) and the OLC and provide ongoing assistance to the Ministry of Justice as required.

We will publish a research report on deaf people as consumers of legal services. Other outputs include a short BSL video and consumer tips produced by our partners at Action on Hearing Loss and practical tips for the profession developed in collaboration with the SRA.

The Panel's report on comparison websites is due to be published in February.

Consultation activity will include a response to the Legal Ombudsman's consultation on its draft three year strategy and business plan for 2012/13. We will submit a final response to the LSB's call for evidence on will-writing, probate and estate administration based on the consumer research that we helped the LSB to commission and other evidence. We may also respond to the BSB's consultation on public access and the SRA's green paper on regulating international practice.

The Panel will also develop its work programme for 2012-13 and present this to the Board at its meeting on 28 March 2012.

Elisabeth Davies will present at the Law Society's Regulatory Affairs Board, deliver a speech on digital inclusion at the Law Society's Law and Technology Forum and address the annual claims management industry conference.

**Steve Brooker**  
**December 2011**