

FOR IMMEDIATE RELEASE

ASSURING THE QUALITY OF LEGAL SERVICES

LEGAL SERVICES BOARD OUTLINES WAYS TO MAKE SURE CONSUMERS CAN CHOOSE AND USE QUALITY LEGAL SERVICES

Options for regulators to consider when deciding how best to prevent risks to, and improve, the quality of legal services consumers receive are outlined today by the Legal Services Board (LSB).

[“Approaches to quality”](#) describes the risks to quality within legal services and offers suggestions on how best to prevent them, as well as how to incentivise improvement of quality. The proposals address not just technical aspects of quality, such as fitness to practice, but also service quality, including client care and usefulness of advice.

The LSB recognises that regulators already use a variety of methods to address some of the quality risks, including proactive entry and authorisation requirements as well as reactive investigation and enforcement. To date, however, there has been little concerted work by regulators to reduce quality risks through better consumer empowerment - by providing consumers with data and tools to support choice, for instance.

The consultation seeks views on both the risks that the LSB has identified and the measures it suggests could reduce them. The LSB will use these views to inform the development of a framework against which the regulators can then identify and address quality risks in their specific market context. Such an approach recognises that risks will be different, and thus require different regulatory approaches, depending both on the nature of the consumer and the type of legal services provided. Large corporate repeat purchasers of legal services are likely to be much better placed to address risks than individual consumers dealing with a single legal problem. Alongside tackling risks, the role that these measures will play in developing incentives to improve the overall quality of services is at the heart of the Board’s thinking in this area.

Chairman of the Legal Services Board, David Edmonds said:

“The importance of confidence in legal services to both individual consumers and the public interest at large makes maintaining standards of quality a compelling reason for regulation. We know that consumers expect safeguards for quality to exist, but evidence suggests that reality does not live up to those expectations. In setting out our approach to tackling risks to quality – as well as capturing the range of interventions that may be appropriate – we aim to ensure that this baseline is in place. It is clear that much more can be done to help consumers make informed decisions about which service is going to be best for them.”

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Notes for editors

1. The consultation paper can be found at http://www.legalservicesboard.org.uk/what_we_do/consultations/open/index.htm
2. The LSB has also produced an overview of priorities in this area of work. This can be read as an introduction to the issues that are raised in the main consultation paper. The document can be found at http://www.legalservicesboard.org.uk/Projects/workforce_development/index.htm
3. The work of the Board in this area has emerged, in part, from concerns raised by the Legal Services Consumer Panel in its report examining quality in legal services. The report can be found at http://www.legalservicesconsumerpanel.org.uk/publications/research_and_reports/documents/ConsumerPanel_QualityinLegalServicesReport_Final.pdf
4. The Legal Services Act (“The Act”) created the Legal Services Board as a new regulator with responsibility for overseeing the regulation of legal services in England and Wales. The new regulatory regime became active on 1 January 2010.
5. The Board and the approved regulators share eight regulatory objectives, set out prominently in the Act. These are:
 - protecting and promoting the public interest
 - supporting the constitutional principle of the rule of law
 - improving access to justice
 - protecting and promoting the interests of consumers
 - promoting competition in the provision of services in the legal sector
 - encouraging an independent, strong, diverse and effective legal profession
 - increasing public understanding of citizens legal rights and duties

- promoting and maintaining adherence to the professional principles of independence and integrity; proper standards of work; observing the best interests of the client and the duty to the court; and maintaining client confidentiality.
6. The LSB oversees eight Approved Regulators, which in turn regulate individual lawyers. The Approved Regulators, designated under Part 1 of Schedule 4 of the 2007 Act, are the Law Society, the Bar Council, the Master of the Faculties, the Institute of Legal Executives, the Council for Licensed Conveyancers, the Chartered Institute of Patent Attorneys, the Institute of Trade Mark Attorneys and the Association of Costs Lawyers.
 7. In addition, the Institute of Chartered Accountants in Scotland and the Association of Chartered Certified Accountants are listed as Approved Regulators in relation only to reserved probate activities.
 8. The legal profession consists of some 15,157 barristers, 116,122 solicitors and 12,116 individuals authorised to operate in other aspects of the legal profession such as conveyancing. In total the legal sector employed over 324,000 individuals in 2010. The sector was valued at £25.97 billion per annum during 2008.
 9. The 2011/12 LSB Business Plan can be found at http://www.legalservicesboard.org.uk/news_publications/publications/index.htm
 10. The draft 2012/13 LSB Business Plan can be found at http://www.legalservicesboard.org.uk/what_we_do/consultations/open/pdf/20111215_plan_for%20consultation_final.pdf