

David Stallibrass
Director in the OFT Services & Public Markets Group
Office of Fair Trading
Fleetbank House
2-6 Salisbury Square
London, EC5Y 8JX



The Chief Executive's Office
Legal Services Board
7th Floor
Victoria House
Southampton Row
London WC1B 4AD

T 020 7271 0043
F 020 7271 0051

www.legalservicesboard.org.uk

24th February 2011

Dear David

OFT Will-Writing

The Legal Services Board is pleased to see the latest initiative to improve the will-writing market for customers and their beneficiaries. The agreement reached with the big four banks to review their practices for selling professional executor services is an important step forward. The three key principles to ensure that consumers make well informed decisions about whether to appoint a professional executor are relevant no matter who is delivering the service. As the body responsible for overseeing regulation of legal services across England and Wales we look forward to working with you to promote these principles across the market.

Our wider examination of the case for regulating will-writing differently, in light of concerns about consumer detriment in this area, is progressing well. In response to our request for their advice, the Legal Services Consumer Panel is exploring the range of problems experienced by consumers in this market. Members of the public, lawyers and other professionals have responded in an impressive manner to the Panel's call for evidence and have contributed over 400 case studies to help build up a picture of the consumer experience. We are also collecting further statistical data, including the number and details of complaints about will-writing services received by Consumer Direct.

Additionally, the mystery shopping research that we have commissioned jointly with you and the Solicitors Regulation Authority will provide a picture of the technical quality of wills between different types of provider. As you know, the post-purchase questionnaire will also explore with consumers their experience of both the shopping and the will-writing process – with questioning focusing on whether consumers felt there were misleading claims, pressure selling or general sub-par customer service. This will include looking at professional executors to test how providers are faring against your principles in practice.

The results of all of these exercises will together build a comprehensive evidence base to inform the Board's approach to reducing consumer detriment in this important market.

We continue to be grateful for the close working between the LSB and OFT in this area. I know that we share a desire to identify a regulatory response which delivers the consumer protection required while maintaining the greatest accessibility and choice for consumers through the greatest plurality of provider and delivery options.

Yours sincerely

Chris Kenny
Chief Executive

E chris.kenny@legalservicesboard.org.uk