



Ein cyf/Our ref: SF/LA/0622/15

Sir Michael Pitt
Chairman
Legal Services Board
One Kemble Street
London
WC2B 4AN

3 March 2015

Dear Sir Michael,

You are consulting on your business plan for 2015-2016 and your three year strategic plan for 2015-2018, under the themes of breaking down regulatory barriers to competition, growth and innovation in the legal services sector and enabling demand for legal services to be met more effectively. As Minister with responsibility for justice policy, I set out below the Welsh Government's views on each theme, together with comments on the importance of establishing a robust evidence base.

We understand the need for the Board to focus on consumer protection and promotion of competition within the legal sector. However, it is a high priority for Wales to develop and maintain a Wales-based legal services sector of the highest quality to meet the needs of our citizens in areas of legal work that have traditionally been mainly publicly funded, such as crime, family, housing, education and mental health, alongside the needs of the business community and economic development. These needs have been enhanced across the devolved areas of law by the strengthened primary law making powers of the National Assembly and the growing divergence of Welsh law from English law within the joint legal jurisdiction.

Whilst the needs and protection of the consumers of legal services are key, so too are the needs of providers of legal services to be able to prosper in practice in Wales, and we would invite the Board to keep both of these key components equally in mind.

Theme A: Breaking down regulatory barriers to competition, growth and innovation

With many licensed alternative business structures entering the market for legal services, we support the Board looking at what can be removed, simplified and updated within the regulatory framework to enable a level playing field for regulated businesses, with the potential for changing the Legal Services Act 2007 to take account of market fluctuations. As you recognise, care must be taken to ensure consumer protection is not eroded or undermined in reducing regulatory burdens.

We also welcome the emphasis the Board is placing on reviewing the traditional barriers between the different providers of legal services, to enable the sector to react positively to the rapidly changing environment.

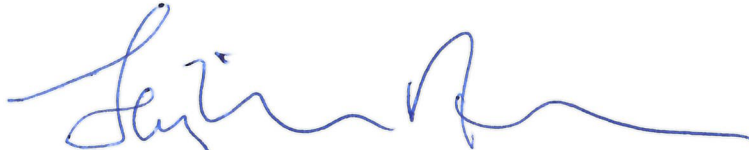
Theme B: Enabling the need for legal services to be met more effectively

Businesses providing legal services must become more adept at innovation and creativity, providing more competitive and flexible services to the consumer. They need to grasp new challenges and opportunities, and keep pace with market developments, locally and further afield. The Welsh Government currently provides a range of funding and services to help the legal services sector in Wales and stands ready to support those who need it to take advantage of the new opportunities.

Building the evidence base

The rapidly changing face of justice is having a big impact on Wales, as it is elsewhere in the UK. It would be helpful if the Board's research priorities could capture recent and future reforms and their impacts on the justice system, including users and the judiciary, across the UK.

One key research priority could be to consider the effects of the changes to legal aid and court fees that have resulted in significant increases in the numbers of litigants in person coming before the courts. We are concerned that many litigants may not be able to afford the costs involved and may be ill-informed and ill-prepared to represent themselves. The resulting extra demands placed upon courts, tribunals and the judiciary may in turn lead to more cases being delayed and postponed. These are important issues on which robust evidence is needed.

Yours sincerely,


Leighton Andrews AC / AM
Y Gweinidog Gwasanaethau Cyhoeddus
Minister for Public Services