



Legal Services Board Draft Business Plan 2010/11

Response from the Solicitors Regulation Authority

March 2010

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Introduction

1. The Solicitors Regulation Authority (SRA) is grateful to have the opportunity to comment on the Legal Services Board (LSB)'s Draft Business Plan for 2010/11.
2. Many of the comments we made in respect of your Business Plan for 2009/10 remain relevant to this plan. This draft plan, like your previous plan, is rightly ambitious and challenging. We support the direction of travel it maps out and the objectives set out in the plan. As we said last year, the LSB and the regulators will need to continue to work in partnership to deliver excellence.
3. We have structured our comments into two sections: first, general comments on the plan and second, comments relating to the seven work streams. If you would like any further information or more detailed explanations of our comments, please contact Ian Stevens (ian.stevens@sra.org.uk).

General comments

4. We welcome the emphasis placed on working in partnership and the LSB's desire to avoid re-inventing the wheel. This is particularly relevant in terms of consumer engagement/research and research more generally. We suggest that there could be more emphasis in the plan as to the role of the LSB in bringing together such work and helping to share best practice and research. It would be interesting to note any practical suggestions the LSB may have for doing this, perhaps through a regular research forum and a shared research programme. A central database of all research reports from the LSB and ARs might also be considered.
5. We are encouraged by the research priorities, but would like to see more recognition of the role of the LSB's Consumer Panel in reviewing consumer related research and other initiatives focused on consumer need already undertaken by ARs. Similarly while we understand that it is difficult to be exact about what the LSB's research programme will cover, we would welcome any early indications of particular projects to ensure compatibility with our own research programme.
6. We note the point made in David Edmond's Foreword (and at other points in the document) about the opportunity now presented to representative arms/bodies of ARs to be able to re-focus and re-prioritise to meet their members' needs and to reassert their role as advocates for professional excellence. We agree that this presents an excellent opportunity.
7. We would be interested to see a summary of the LSB's strategic risks and also to understand more about how and when the LSB will report progress against the milestones/objectives in the plan. Similarly we agree with the questions posed on page 10 of the document, and are pleased to note the LSB's commitment to addressing these questions. However, it would be

useful to know how the LSB will report progress in addressing these questions and how changes will be tracked against them.

8. As a general point to all the work streams, it would be useful to set out what has been achieved during 2009/10 or to include a simple progress check as part of the work stream.

Work stream specific comments

2A: Putting the consumer and public interest at the heart of regulation

9. As a public interest regulator, we are naturally very pleased to note the continued emphasis on putting the consumer and public interest at the heart of regulation. We will be keen to work with the LSB and with the Consumer Panel to further the work on consumer education, information and research.
10. It would be helpful if the plan could set out in a little more detail the way the relationship between the LSB and the Consumer Panel will. Is it the intention that the Panel will be publishing their own work programme and/or research programme? If so, when might we expect to see and comment on this?
11. We would find it useful to have more information on the Research Strategy Group, particularly how this will link into the Panel. The SRA's research and policy officers have recently established links with the LSB's Research Manager, and will be keen to develop this relationship further.
12. Finally, we would stress the importance of partnership working on this work stream particularly in respect of research. The SRA has conducted research on consumer experiences over the past two years, and has plans for further research (as part of our Consumer Engagement Strategy) this year. In the interest of avoiding duplication and minimising the impact on consumers it would be useful to share future proposals in this area.

2B: Widening access to the legal market

13. Increasing choice and offering better value to consumers through widening access to the legal services marketplace continues to be a key aim for all of us. We are, as you know, working hard to develop our approach to regulating ABSs in readiness for meeting the deadline to apply for licensing authority status. We look forward to continuing to work with the LSB on this important area of work.

2C: Improving service by resolving complaints effectively

14. Greater clarity on the target setting process for the OLC would be useful. It is not clear whether the OLC will set their own targets, or whether the LSB will set them with the agreement of the OLC – both approaches seem to be suggested.

2D: Developing excellence in legal services regulation

- ~~15~~. 15. We would welcome more information on the different thematic reviews the LSB is proposing to carry out.

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2E: Securing independent regulation

16. There appears to be significant overlap with the work proposed under 2D, particularly in relation to the thematic review on the separation of representation/regulation and compliance with IGRs.
17. The plan is currently unclear on what type of information is to be communicated through the yearly application cycles and how this will focus the LSB's research. We would welcome more information on this.

2F: Developing a workforce fit for the future

18. We note with interest the amendment to this work stream from 'Promoting access to a diverse legal profession' to 'Developing a workforce fit for the future'. This is an important area of work and there is a need to ensure fairness and equality of opportunity for all people of all backgrounds, in entering the legal profession.
19. We will be keen to work with the LSB on the quality assurance elements of the work. We have begun work on our 'Agenda for Quality' and will be keen to develop this alongside the work the LSB proposes.

2G: Improving access to justice

20. We welcome the inclusion of access to justice as a distinct work stream. We would be particularly interested in the different areas of research proposed by the LSB, and will be keen to work with the LSB on this.

**Solicitors Regulation Authority
March 2010**