

Sent by email only: Emily Lyn:
emily.lyn@legalservicesboard.org.uk

Your ref	Direct line	020 7211 8149	
Our ref	Fax		
Date	13 August 2010	Email	david.stallibrass@oft.gsi.gov.uk

Dear Emily,

ILEX APPLICATION TO BECOME AN APPROVED REGULATOR TO AWARD RIGHTS OF AUDIENCE AND RIGHTS OF CONDUCT OF LITIGATION TO ASSOCIATE PROSECUTOR MEMBERS

Thank you for sending on this application and formally requesting our advice in accordance with the provisions of the Legal Services Act 2007 ('the Act').

In providing our advice we have to consider whether the application, if granted, would, or (would be likely to) prevent, restrict or distort competition within the market for reserved legal services to any significant extent¹.

We have considered the application and, if granted, we advise that we find no evidence or theory that suggests the continued supply of Associate Prosecutors' services or the regulatory rules proposed by ILEX Professional Standards Ltd would (or would be likely to) prevent, restrict or distort competition within the market for the reserved legal activities of rights of audience and rights of litigation.

Indeed, it appears that by allowing Associate Prosecutors the rights of audience and rights of conducting litigation, within the parameters outlined in the application, may strengthen competition within the area of Magistrates Court work. Associate Prosecutors could act as an alternative supply to solicitors and barristers in routine cases prosecuted by the Crown Prosecution Service in the Magistrates Courts thus broadening access to justice.

¹ Schedule 4 Part 2 section 6(2) of the Act



Yours sincerely,

A handwritten signature in black ink, appearing to read "David Stallibrass". The signature is written in a cursive style with a large initial 'D' and a stylized 'S'.

David Stallibrass
Director, Services