



LEGAL SERVICES
BOARD

Enhancing consumer protection, reducing regulatory restrictions: will-writing, probate and estate administration activities

Summary of feedback to the consultation paper and LSB response

This Response Document may be of interest to:

Approved legal regulators

Providers of legal services

Legal representative bodies

Legal advisory organisations

Other third sector organisations

Consumer groups

Law schools/universities

Legal academics

Members of the legal profession

Accountancy bodies

Potential new entrants to the will-writing, probate or estate administration markets

Think tanks

Political parties

Government departments

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Executive summary

1. This document provides the Legal Services Board's (the LSB's) response to our 23 April 2012 consultation paper about the regulation of will-writing, probate and estate administration activities¹. Having reviewed the response to our discussion paper "Enhancing consumer protection, reducing regulatory restrictions: will-writing, probate and estate administration activities", there appear to be two main options for taking this work forward:
 - Take no further action and continue to rely on either existing general consumer protections and/or other alternatives to mandatory regulation; or
 - Seek to tackle the problems identified in the market by utilising the LSB's powers under the Legal Services Act 2007 (the Act) to recommend to the Lord Chancellor that will-writing and/or estate administration activities should be made reserved legal activities.
2. It is our view, and the view of the majority of respondents to the consultation paper, that the current system of general consumer protections plus voluntary regulation schemes, while well-intentioned, is allowing an unacceptable level of consumer detriment to exist in the markets under examination. Indeed, it runs the risk of placing unnecessary burdens on the most ethical providers, while giving no protection to many customers and clients of new entrants. This situation is neither delivering the regulatory objectives nor the protections and certainty that consumers and the public require. We therefore reject the option to take no further action.
3. We conclude that intervention in the markets for will-writing and estate administration is required to enhance consumer protection in conjunction with liberalising the market. The objective for intervention is ensuring regulation is effective and supports the market, enhancing competition within it. Our investigation has shown that neither general consumer protections nor mandatory legal services regulation as currently practiced are meeting this objective, as detriment was found to have been caused by both regulated and unregulated providers. We will therefore aim to increase standards where required and make their application more consistent, but equally to reduce restrictions where they are unnecessarily hampering providers. We consider that this methodology will further the regulatory objectives of promoting competition and protecting and promoting the interests of consumers.
4. Following our sections 24 and 26 investigations we are minded to make recommendations to the Lord Chancellor that the list of reserved legal activities should be amended to include:
 - Will-writing and legal activities provided ancillary to the writing of a will; and

¹ http://www.legalservicesboard.org.uk/what_we_do/consultations/open/pdf/will_writingcondoc_final.pdf

- The administration of an estate of a deceased person and legal activities provided ancillary to the administration of an estate
5. We do not intend for providers of related activities, (such as inheritance tax advice, that are not provided in conjunction with either the writing of a will; collecting, realising or distributing estate assets) to be caught within the scope of the new reservations. Further, we do not intend to regulate people choosing to write their own will, or beneficiaries to an estate administering it themselves. Providers of help or assistance should only be regulated when performing the activities listed in the preceding paragraph in expectation of fee, gain or reward. For the avoidance of doubt, we would not, at present see publishers of “do it yourself” kits or software as caught within regulation, but we remain open to reconsideration of boundary issues should evidence of detriment in this area arise. We intend to keep consumer choice in service providers as wide as possible by enabling all the different categories of providers to come within the scope of legal services regulation. In this way a baseline of minimum protections will be established above which providers can compete with each other, thus raising standards without raising prices.
 6. We are not seeking a monopoly for “traditional legal service providers” nor to simply extend the reach of the existing approved regulators and the existing regulatory approach. We are proposing a flexible type of regulation that will be able to adapt to the needs of different types of providers. We expect regulators that are approved in respect of the new reserved activities to have set clear, consumer based outcomes, with sufficient flexibility to allow the providers they are responsible for space to prove how their particular arrangements meet the outcomes set. A sharper focus on risks will provide for this elasticity as well as facilitating the achievement of better outcomes for consumers. Furthermore, it will allow for the regulatory burden to be reduced on providers deemed low risk.
 7. All bodies wishing to be approved as regulators in respect of will-writing or estate administration would have to apply to the LSB for designation as licensing authorities and/or approved regulators. This includes regulators of providers currently offering these activities. Readers are referred to the consultation on the Provisional Report, impact assessments and draft guidance we have published alongside this document for greater detail about the scope of our proposals, the effects they would have and how we expect them to work in practice.

Next steps

8. This document is published in combination with the provisional report we are under a statutory duty to produce after conducting a section 24 or section 26 investigation. In addition, we have updated our impact assessment, published an equality impact assessment and also published draft guidance under section 162 of the Act. We invite views on the contents of any or all of these documents within the six week consultation period that commences on the date of publication. The closing date for the receipt of views is 8 November 2012. The Board will make a final decision on whether to make a formal recommendation to the Lord Chancellor early in 2013.

Introduction

9. Following the close of our consultation period on 16 July we have reviewed all of the responses received. We have concluded that there is a compelling case for the mandatory regulation of will-writing, probate and estate administration activities.
10. We received 43 responses to our consultation. This number was made up of 5 approved regulators, 8 representative bodies from the legal professions, 7 representative bodies from the non-legal professions, 2 consumer groups, 2 will writers' trade bodies, 4 members of the public, 2 charities, 9 providers of will-writing and estate administration activities, 2 Ombudsmen, the Office of Fair Trading and a Trading Standards Officer. The responses we received were clear that there are currently unacceptable levels of consumer detriment in the market for these activities. It has been identified that many consumers do not understand that some providers of these activities are regulated and some are not, and what that difference entails in terms of protection. Regulation can both protect consumers and support sector growth by enhancing the environment for reputable providers to operate. It can promote competition on price and service above a baseline of minimum protections.
11. Our paper outlined our proposed approach to regulation of will-writing, probate and estate administration activities. In line with the need to balance both the regulatory objectives and the better regulation principles, we highlighted the need for regulation to be targeted at the problems and risks that have been identified in relation to these activities and provide the least restrictive way of addressing them.
12. We detailed in our discussion paper the following regulatory features that we consider are needed to ensure an acceptable level of consumer protection in the delivery of these activities:
 - a strategy and early action for consumer information;
 - a mandatory register of authorised providers;
 - authorisation gateway checks including a fit and proper person test for ownership and control;
 - appropriate financial protection arrangements, especially where a provider has access to consumers' money, including indemnity insurance unless work from regulators and financial institutions avoids the need to hold consumers' money;
 - an outcomes based code of conduct with appropriate emphasis on sales practices in particular;
 - a requirement that providers have an appropriately trained workforce;
 - a risk based supervision strategy that targets regulatory action to protect consumers;
 - an enforcement strategy that encourages and creates incentives for compliance, deters non-compliance and punishes transgressions appropriately, including the levying of financial penalties; arrangements

- to ensure each provider has an appropriate in-house complaints process, including signposting to the Legal Ombudsman; and
 - bringing all three activities within the jurisdiction of the Legal Ombudsman.
13. Following a review of the responses received, we do not propose to significantly change the approach highlighted or this list of features, and continue to believe that they are the combination of regulatory features most likely to deliver the regulatory objectives through the principles of better regulation by both enhancing consumer protection and reducing regulatory restrictions. We refer readers to our work on delivering regulatory standards², which outlines the expectations we have of all approved regulators.
 14. We publish alongside this decision document our provisional report and draft guidance for prospective approved regulators and licensing authorities, upon both of which we invite feedback.
 15. It is worth reminding readers that our proposals build upon all the information we have received through a long collection process, including calls for evidence and the commissioning of research. The LSB feedback contained herein should be read in the light of all the available evidence, including the numerous case studies and personal recollections we have received. Full details can be found on the websites of the LSB and of the Legal Services Consumer Panel (the Panel)³.

General comments

16. There was general concurrence amongst respondents to our discussion paper that objectionable levels of consumer harm are currently to be found within the markets identified. Respondents also felt that existing general consumer protections, voluntary regulation schemes or other alternatives to mandatory regulation were inadequate. This included the bodies operating the existing voluntary regulation schemes.
17. However, some respondents differentiated between will-writing and estate administration in this regard. While there was a consensus that regulation was required to tackle the consumer detriment in relation to will-writing, there was less unanimity in relation to estate administration. Most respondents believed that greater consumer protection is needed particularly given that providers usually have control of an estate's entire assets. Some regulators of non-legal professionals argued that there was not sufficient evidence of detriment in that

² For further details on this work see http://www.legalservicesboard.org.uk/Projects/developing_regulatory_standards/index.htm. Consultation paper on regulatory standards available here: http://www.legalservicesboard.org.uk/news_publications/latest_news/pdf/21110420_developing_reg_std_finalrb_proof_3.pdf

³ See LSB website at: http://www.legalservicesboard.org.uk/what_we_do/consultations/closed/submissions_received_to_the_consultation_on_enhancing_consumer.htm and Panel website at: <http://www.legalservicesconsumerpanel.org.uk/ourwork/Willwriting.html>

area to warrant regulation, while others felt that it could not be classified as a legal activity and therefore should not be made into a reserved legal activity.

18. Responses from the non-legal professions highlighted the issues raised by regulatory overlap, including possible inefficiency and increased costs being passed on to consumers. These respondents felt that the regulation of their professions already provided sufficient safeguards for consumers and therefore should not be subject to oversight from the LSB. They also asked for further clarification on the scope of the proposed new reservations.
19. We received limited feedback about how to manage the implementation of new reservations with the challenge being to allow the market time to adapt and prevent any unnecessary constriction in the availability of providers while at the same time quickly ensuring a baseline of protection. We propose that full implementation should not take full effect until at least one regulator that is able to authorise and effectively regulate the different types of provider currently active within these markets has been designated. We have discussed this subject in more detail in the provisional report published alongside this document and we are seeking feedback on possible implementation options.⁴

Scope of the reservations

20. Having reviewed all of the responses, we remain convinced of the need for regulation of both will-writing and estate administration and continuing regulation of probate. We are aware that despite obvious overlap in practice these should be viewed as two discrete activities. This is because they are separate legal activities creating two different sets of risks for consumers.
21. The provisional report published alongside this document states that we are minded to recommend to the Lord Chancellor that the following should be reserved legal activities:
 - Will-writing and legal activities provided ancillary to the writing of a will
 - The administration of an estate of a deceased person and legal activities provided ancillary to the administration of an estate.
22. The provisional report includes practical examples showing where activities delivered in different circumstances would and would not fall within the scope of the proposed new reserved legal activities.
23. We note that, with the exception of the accountancy bodies and the Society of Trust and Estate Practitioners (STEP), those respondents who expressed an opinion on powers of attorney and trusts were in favour of further review in these areas. The LSB is not currently planning to review activities related to either powers of attorney or trusts. This is because they are separate activities from will-writing and estate administration, with each posing a different set of risks from the activities under investigation. Among the views received we did

⁴ Please see Provisional Report, paragraphs 59 – 75.

not see any strong evidence that these further areas are in immediate need of review. However, we will keep this option open in light any research or evidence that we receive from stakeholders. We intend to speak to the Office of the Public Guardian about this matter in the future.

Regulatory overlap

24. Regulatory overlap is an inevitable feature of the framework laid down by the Act. Particular concerns of regulatory overlap in relation to will-writing, estate administration and ancillary activities have been raised by some of the non-legal regulated professions. The LSB is mindful of the problems that can be caused by intersecting regulatory regimes, including increased costs and a lack of clarity. Where overlap occurs, we will therefore expect regulators to cooperate to avoid duplicating burdens on providers.
25. However, a number of respondents pointed out that regulatory overlap already occurs in relation to other legal activities, suggesting that it is not an insurmountable issue. Such overlap will be increasingly common in the multidisciplinary environment within the legal services market that the Act promotes. For this reason, any regulation applied must be proportionate. Where a provider is regulated in another sector, such as banking or accountancy, authorised regulators must take that regulation into account when considering the risks posed by the provider under scrutiny. The regulatory obligations imposed upon that provider would then be tailored accordingly.
26. We would also emphasise that overlaps should not be sought where none exist. If a non-legal regulated provider is not providing will-writing or estate administration activities they will not be subject to regulation under the proposed new reserved activities. For example, an accountant who provides inheritance tax advice to a client but does not also write a will for them would not be regulated under the proposed will-writing reservation. Similarly, tax consultants engaged to complete estate accounts for a consumer without also collecting, realising or distributing estate assets would not fall within the scope of the estate administration reservation. Readers are referred to the provisional report issued in conjunction with this document for further clarification on the wording and scope of the proposed new reservations.

Fit and proper person test

27. The consultation paper proposed that there should be a fit and proper person test for all owners and managers of authorised providers of will-writing, probate and estate administration activities to ensure an appropriate level of consumer protection and consumer confidence. In addition, we proposed that individuals authorised to practice should be subject to proportionate background and character tests.
28. There was consensus among respondents that approved regulators must have in place suitable arrangements to ensure that owners, persons that hold

significant influence and authorised individuals within providers of will-writing, probate or estate administration activities are appropriate persons to hold such positions.

29. However, there was some confusion about whether we were suggesting more onerous requirements for recognised bodies and alternative business structures (ABS) performing will-writing and estate administration activities than equivalent providers performing other reserved legal activities. Some thought that we were proposing that regulators specify vetting requirements for each person within a provider along with corresponding rules about whom a provider may and may not employ. Concern was raised therefore that our proposals would place additional and disproportionate regulatory burdens and associate costs on providers in these markets.
30. To clarify, we expect that arrangements will ensure consumer protection and confidence in owners, persons that hold significant influence and authorised persons for will-writing, probate or estate administration are equally as high as that for providers of other reserved activities. We expect fit and proper person tests to be applied consistently with other areas. This will include, where relevant, for authorised role holders⁵. We do not intend any additional obligations.
31. Beyond this, we expect approved regulators to set out the outcomes around behavioural integrity that they expect of all authorised providers. There should be suitable arrangements for holding providers accountable for delivering those outcomes. Moreover, we expect systems for identifying risks and for supervision to be tailored to the risks that each provider presents.

Financial protection tools

32. We remain of the view that appropriate regulatory arrangements should meet the following outcomes:
 - Protect client money and assets, including minimising the risk of consumers' money being lost by the provider; and
 - Offer an appropriate level of assurance that recompense is available where a consumer suffers financial detriment caused by the provider as a result of poor quality work or dishonesty.
33. We also remain of the view that regulatory arrangements should meet the following tests:
 - They should be proportionate to the problems identified; and

⁵ These being Heads of Legal Practice, Heads of Finance and Administration, Compliance Officers for Legal Practice and Compliance Officers for Finance and Administration.

- They should not act as an unnecessary barrier to entry, especially for small businesses.
34. There was little dispute with the outcomes suggested within responses.
 35. We expect each approved regulator to demonstrate that it has appropriate regulatory arrangements in place to meet both the outcomes and the proportionality tests set out above. Each proposed set of arrangements should be based on analysis of risks presented by providers of will-writing and estate administration activities. We expect evidence based explanation of how the proposed protections will mitigate those risks in a proportionate way.
 36. For existing regulators this means reviewing existing arrangements – especially those designed for different activities or a broader set of activities. For all approved regulators it will be important to avoid any temptation to default to the most onerous regimes used in other areas of the legal services market, assuming that a “belt and braces” approach is most likely to meet approval. This would not be compatible with the better regulation principles.

Legal professional privilege

37. Respondents were divided about whether the provision of s190 of the Legal Services Act 2007 should be extended so that legal professional privilege would benefit all consumers of reserved will-writing and estate administration activities even if their provider is not one for whom privilege arises all areas of their work (for example, a solicitor). Most respondents felt that, in the interests of parity of treatment, legal professional privilege should be extended. However, others contended that it would be dangerous to extend privilege to new types of authorised legal services providers.
38. The nature of legal professional privilege is a right benefitting the consumer, not the provider. We would therefore argue that it should not depend upon the provider chosen by a consumer, but rather be a uniform benefit for all consumers within these markets. It would not be logical, or compatible with the regulatory objectives, for a client to have different standards of safeguards attaching to the same type of advice received from two different advisers. In our opinion, in the interests of parity and fair competition, this should be extended to consumers of all activities covered by the proposed new reservations. Not to do so would be a distortion of the market.
39. The Act seeks to liberalise the market for legal services by breaking the link between professional titles and the right to provide the reserved activities. We consider extending the section 190 provision to providers of will-writing, estate administration and ancillary activities, and thereby encompassing new categories of authorised persons, to be consistent with the Act. At present section 190 already extends to clients of all authorised persons delivering existing reserved probate activities and also the wider estate administration when they are provided in conjunction with those probate activities.

40. We accept that any extension should be limited to the reserved activities, but appreciate that, although in our view this was clearly the intent of the 2007 Act, its application in practice may be viewed as a significant development in the law in this area.
41. We acknowledge concerns raised by some respondents related to the extension of privilege to providers whose consumers have not previously benefited from it. It is already the case that all providers whose consumers enjoy the benefit of professional privilege must be governed by regulatory arrangements that make appropriate provision in relation to the protection of their clients' right to confidentiality. There should also be suitable powers available for regulators to take action if these rights are misused.
42. The LSB has been granted permission to intervene in the case of *Prudential PLC v Special Commissioners of Income Tax*, which is currently before the Supreme Court. The case raises questions concerning legal professional privilege, and its possible extension to accountants. The LSB intends to keep its position on professional privilege under review in light of the forthcoming Supreme Court judgement. With any extension to reserved activities we will explore how any consequential changes made to privilege may be achieved.

Approval of existing regulators

43. Each regulator wishing to be approved in respect of these activities would have to demonstrate that they meet the Schedule 4 tests including overall competence, capacity and capability⁶. Each must demonstrate that its regulatory arrangements make appropriate provision for the activities and are both compatible with the regulatory objectives and the better regulation principles, including being proportionately targeted at the risks within each market. Therefore, if regulators wish to apply for designation on the basis of their existing regulatory arrangements they will be required to show how these are fit for purpose and meet these tests. We do not envisage that any of the existing regulators would be approved without any amendments to their current rule books. In our consultation paper we stated that we would not automatically approve any of the existing legal regulators in relation to will-writing or estate administration simply because their members already provide those activities. Our assessment is that existing regulation is not effectively preventing consumer detriment.
44. Respondents from both the solicitors and notarial professions suggested that their regulatory arrangements already provided sufficient protections for consumers and were suitable for approval without any amendment⁷. The results of the shadow shopping exercise, complaints data compiled by the Legal

⁶ Please see the LSB web-site: http://www.legalservicesboard.org.uk/what_we_do/regulation/approving_new_regulators.htm

⁷ These respondents included the Solicitors Regulation Authority, the Society of Scrivener Notaries, the Notaries Society of England and Wales, the Solicitors Sole Practitioners Group and the Master of the Faculties. All responses are available at:

http://www.legalservicesboard.org.uk/what_we_do/consultations/closed/submissions_received_to_the_consultation_on_enhancing_consumer.htm

Ombudsman (LeO), case studies we have received and opinions expressed by other respondents suggest that this cannot be taken from granted⁸. We remain of the view that there needs to be a greater focus on risk-based monitoring and supervision to ensure that good outcomes are being delivered.

45. We further consider that it is necessary for the existing regulators to review both their existing rule books and their approach to supervision in this area to remove unnecessary regulatory restrictions and more effectively target risk in order that they can best deliver outcomes for consumers and maximise their competitiveness. The LSB and the approved regulators are all subject to the regulatory objective of the promotion of competition and are also required to comply with the better regulation principles. Effective regulation set at the right level promotes innovation plus competition that is likely to both drive up quality and service standards and drive down prices. It is a key part of the solution to the problems we have found evidence of in this sector.
46. Solicitors and other regulated legal services providers have called for a level playing field with all non-lawyer providers being subject to the same regulatory costs as they are. However, their existing regulation creates higher barriers to entry and greater restrictions on providers than are present within the self-regulatory schemes in the unregulated sector. We do not believe that the solution to this uneven playing field is to require all providers to meet the most onerous requirements currently imposed unless, of course, this is proven to be a targeted and proportionate response. If a law firm or alternative business structure (ABS) regulated by the Solicitors Regulation Authority or other approved regulator, wishes to offer only will-writing and/or estate administration activities we would expect the regulatory obligations to be targeted at and proportionate to the risks within those activities. This is likely to mean removing obligations and restrictions aimed at protecting against risks within broader activities that they do not undertake. Similarly, if a law firm or ABS has a distinct department that provides only these types of services we would expect the burden on the provider to be adjusted accordingly.
47. Where a law firm or ABS provider undertakes a range of activities beyond will-writing and estate administration, wider obligations targeted at and proportionate to the wider risks may of course apply. Wider qualification and entry requirements may be required to hold a professional title but we would expect subsequent monitoring and supervision to be targeted at and proportionate to the activities that they actually undertake – not those that they could be theoretically authorised to do.

⁸ See for example IFF Research, *Understanding the Consumer Experience of Will-Writing Services* (July 2011) available at: http://www.legalservicesboard.org.uk/what_we_do/Research/Publications/pdf/lwb_will_writing_report_final.pdf, and Legal Services Consumer Panel, *Investigation into Will-writing Call for Evidence* (2011: London) available at: http://www.legalservicesconsumerpanel.org.uk/ourwork/will_writing/documents/Call_for_Evidence_Will-writing_201009.pdf. For responses to our consultation see: http://www.legalservicesboard.org.uk/what_we_do/consultations/closed/submissions_received_to_the_consultation_on_enhancing_consumer.htm and for submissions to the Panel's call for evidence see: http://www.legalservicesconsumerpanel.org.uk/ourwork/will_writing/Willwritingsubmissions.html

48. We are pleased to note that existing regulators are making progress through the introduction of outcomes focused regulation albeit at differing speeds. This is building upon existing regulatory standards work that aims to secure consumer benefits through greater competitive pressures. However, we consider that there is still plenty of scope for improvement by each of the regulators. We will be scrutinising arrangements proposed by any body wishing to become an approved regulator for will-writing or estate administration on the basis of consumer protection and on proportionality of application of regulatory measures.

Summary of responses to the consultation

Q1: Are you aware of any further evidence that we should review?

49. There was general agreement among most respondents that the LSB's review of evidence had been comprehensive. The Society of Scrivener Notaries emphasised that the impact of foreign law should be borne in mind in any policy decision. Representatives of non-legal regulated providers, such as accountants and banks, felt that evidence about the activities provided by their members was limited. A number of other respondents provided further case studies and examples of consumer detriment.
50. The Institute of Chartered Accountants in England and Wales (ICAEW) argued that the LSB had not sufficiently considered defining the activities in question or the risk to consumers, or evaluated existing regulatory tools. Further clarity around activities undertaken by their members were also raised by other accountancy bodies and bodies representing tax advisers and technicians.

LSB Response

51. We are pleased that the majority of respondents felt that the LSB's review of evidence was comprehensive. We consider that our evidence base is robust. We have methodically reviewed all available evidence. We have conducted original consumer and business research covering different activities provided by a range of provider types. We have utilised structured mechanisms for incorporating different views and assessing the impacts of our proposals. This has included workshops, calls for evidence and consultations. We have involved different types of provider and the bodies that represent them throughout and will continue to work with them going forward.
52. We have noted with thanks the additional case studies provided. We expect that the approved regulators will continue to collect evidence within these areas and also the wider legal services market. As risks will change over time this collection is necessary to ensure that regulation remains appropriately targeted.
53. The report setting out our proposed recommendations to the Lord Chancellor and guidance for approved regulators published alongside this document will be subject to a six-week consultation. This report will provide greater detail on the definition of the activities following the comments made by ICAEW and others. We welcome views on the contents of both the report and the guidance.

Q2: Could general consumer protections and/or other alternatives to mandatory legal services regulation play a more significant role in protecting consumers against the identified detriments? If so, how?

54. The majority of respondents felt that general consumer protections and other alternatives to mandatory regulation were not sufficient to tackle the consumer detriment being experienced in relation to these activities. This included the bodies that currently operate voluntary regulatory schemes in this sector. The Institute of Professional Willwriters (IPW) explained that it had changed its previously held position that voluntary self-regulation could be a practical alternative to reservation, to a conclusion that reservation was the only viable option. It stated that this change was due to the lack of uptake of such schemes within the unregulated sector, the difficulties in enforcing voluntary regulation and the continuing consumer detriment being caused. IPW provided details of an individual recently convicted of defrauding customers of her will-writing and estate administration company. The individual had previously applied for IPW membership but withdrew her application when asked for information to enable criminal record checks to be run. It transpired that she had a previous conviction for dishonesty. Despite this, the lack of regulation in this sector had meant there was no restriction on her practising outside of regulatory supervision.
55. Both Citizens Advice and the Society of Trust and Estate Practitioners (STEP) gave the opinion that existing general consumer protections mainly provide after the event assistance. Citizens Advice further stated that most assistance available was only applicable to the testator and no other affected people. They concluded that the current array of regulations and voluntary codes were not sufficient to tackle consumer detriment in this area.
56. The Office of Fair Trading (OFT) argued that the proper use of consumer codes, consumer education campaigns and consumer protection legislation should be considered fully before mandatory regulation is introduced as those mechanisms may be able to address many of the concerns in this market. They noted evidence showing detriment caused by both regulated and non-regulated providers, and stressed the importance of all providers being subject to proportionate and effective regulation.

LSB Response

57. The LSB welcomed the feedback highlighting the need for proper consideration of existing consumer protections and voluntary regulatory mechanisms. We are mindful of the better regulation principle of proportionality, which dictates that regulators should only intervene when necessary, with costs minimised and remedies that are appropriate to the risks posed. We also take into account the regulatory objective of the promotion of competition in the provision of services. Our underlying approach to reviewing regulation is to consider those mechanisms that are least restrictive of competition first, and only to opt for reservation as a last resort when all other alternatives have been shown not to meet the policy objective⁹.
58. Existing consumer protection legislation has an important role to play in mitigating detriment in this sector. We would argue that existing consumer protections have a deterrent effect to possible wrongdoers. However, it is correct to say that in general the benefits of these types of protections may only be felt by consumers after the event.
59. The LSB is appreciative of the benefits of self regulation, which has been the preferred option in this sector. However, we consider that, despite these measures, the evidence reviewed during the course of this investigation shows an unacceptable level of consumer detriment still being experienced by consumers of wills and estate administration activities. For this reason, we judge that mandatory regulation of providers is required. Such a development would remove the problems currently experienced by the voluntary schemes of both lack of uptake by providers and those providers being subject to disciplinary proceedings simply able to end their membership of the scheme. The LSB takes the view that the role of regulation is to ensure that appropriate protections are in place and to provide a basic safeguard against detriment for consumers. We expect regulation of this sector to be at a minimum level to provide baseline protections for consumers, above which improved levels of competitions can be the driving force for higher standards amongst consumers. We remain mindful of the fact that ensuring these baseline protections should not require restrictions of the market as severe as, for example, the regulation of solicitors currently creates. Nevertheless, with the responses we have received in mind, we are of the opinion that general consumer protections and other alternatives to mandatory regulation are insufficient to combat the detriments identified.

Q3: Do you agree with the list of core regulatory features we believe are needed to protect consumers of will-writing, probate and estate

⁹ For greater detail on the LSB's approach to reviewing regulation see Legal Services Board *Enhancing Consumer Protection, Reducing Regulatory Restrictions: discussion document* (2011: London) available at: http://www.legalservicesboard.org.uk/what_we_do/consultations/open/pdf/enhancing_consumer_protection_reducing_restrictions_final_28072011x.pdf, and Legal Services Board *Enhancing Consumer Protection, Reducing Regulatory Restrictions: decision document* (2011: London) available at: http://www.legalservicesboard.org.uk/what_we_do/consultations/closed/pdf/6.pdf

administration services? Do you think that any of the features are not required on a mandatory basis or that additional features are necessary?

60. Most respondents agreed with the list of mandatory core regulatory features. The OFT also suggested a requirement for potential providers to consult with consumer, enforcement and advisory bodies during the preparation and monitoring of their services, with approved businesses being able to use an identifying mark to advertise their approved status. The Chartered Institute of Legal Executives and ILEX Professional Standards (ILEX) advocated that a mandatory register of authorised providers should be coupled with efforts to increase public awareness of such a register. Citizens Advice proposed an additional power for approved regulators to require providers against whom they have taken enforcement action to compensate consumers automatically, and noted that the Financial Services Authority already has an equivalent power.
61. IPW raised the issue of lost wills, which it states are a widespread problem. To combat this, it suggested an additional requirement for wills drafted by a regulated firm to be registered on a database approved by their regulator. ITC agreed with the features listed but stated there was an additional need for deeper consideration to be paid to combating fraud in the provision of estate administration. The Law Society put forward a further requirement of adequate storage of the will and file for each consumer, including the need for protection of consumers' wills and files should a provider cease operating. In addition, Solicitors for the Elderly suggested that providers should have mandatory training in will-writing including a requirement to demonstrate sufficient knowledge in order to assess the mental capacity of prospective testators.

LSB Response

62. We are pleased that respondents including bodies overseeing regulatory schemes in this market support our proposed list of core regulatory features, and note that further measures were also suggested. However, we would be cautious of accepting these suggestions without detailed consideration. We will only impose restrictions where there is evidence that they are required to mitigate risk.
63. We agree that regulators should require adequate storage arrangements be made for both the will and file for each consumer, plus adequate protections for consumers if a provider ceases trading. Further, we suggest that providers should be encouraged to learn from the complaints that are made about them, and to take advantage of LeO's objective to provide easily accessible data for this purpose. We suspect that our proposals could be less restrictive and less interventionist than most of the authorised regulators may expect. Where an issue is finely balanced, the LSB will always opt for the more liberal regulatory arrangements available and allow them a chance to work. If necessary, regulation levels can always be increased at a later date.
64. We continue to consider the approach to regulation and the list of minimum protections set out in consultation to be correct, and that they are the combination of regulatory features most likely to deliver the regulatory

objectives through the principles of better regulation by both enhancing consumer protection and reducing regulatory restrictions. However, it is the duty of the LSB to assess the regulatory arrangements of the approved and prospective regulators. It is not up to the LSB to specify, in advance, any particular form of regulatory arrangements as acceptable; rather, it is for existing and would-be approved regulators to design regulatory arrangements (practice rules, codes of conduct, compensation arrangements etc.) in the light of their risk-based assessment of their regulated community, so as to avoid risks that are prejudicial to the regulatory objectives in the Act.

65. We refer readers to our draft guidance and report for further detail on our proposed approach.

Q4: Do you believe that a fit and proper person test should be required for individuals within an authorised provider that is named as executor or attorney on behalf of an organisation administering an estate?

66. The majority of respondents answered yes to this question. STEP was concerned that such a test should be repeated on a regular basis to ensure continued accuracy of results. The Council for Licensed Conveyancers (CLC) further suggested that any persons failing a fit and proper test should be recorded on a mandatory register.
67. The Society for Scrivener Notaries argued that the imposition of a fit and proper person test for individuals within an authorised provider that is named as executor or attorney on behalf of an organisation administering an estate would restrict consumer choice in providers. The Association of Women Solicitors maintained that, provided the entity is fully regulated and the entity owner is certified as a fit and proper person, there is no need to specifically authorise individual members of staff. Solicitors for the Elderly felt that extending the test to individuals working for an authorised provider would prove too costly, with both the Association of Chartered Certified Accountants (ACCA) and ICAEW arguing that the benefits of such tests would be outweighed by the considerable costs of performing them.

LSB Response

68. The LSB is grateful for the responses received to this question. Many responses did not appear to clearly distinguish between the requirement of a fit and proper person test for owners and managers of authorised providers, for which there was a general consensus in favour, and the same test being imposed on individuals within authorised providers that are named as executors.
69. We welcome feedback highlighting the need to keep the costs of regulation to a minimum, and note that this line of thought is in keeping with the principles of better regulation. As highlighted in our response to question three, the LSB will always be inclined to favour the least restrictive regulatory arrangements possible to meet our required outcomes. We would reiterate here that we do not intend to impose more onerous tests on providers in this area than those providing other reserved activities. We expect that fit and proper person tests

will be required consistently with other areas. In order to ensure consumer confidence and protection is maintained, owners and managers of providers are likely to be subject to these types of requirements. This will include, where relevant, for authorised role holders. In light of the feedback received, we have decided not to take forward the proposal that regulation should require individuals within authorised providers that are named as executors to each be subject to a fit and person test.

70. More widely, the approved regulators will be expected to detail the outcomes around behavioural integrity that they expect of all authorised providers, and how they will assess this outcomes based on the risk presented by each provider. This will also include suitable arrangements for holding providers accountable for delivering those outcomes.

Q5: What combination of financial protection tools do you believe would proportionately protect consumers in these markets and why? Do you think that mechanisms for holding client money away from individual firms could be developed and if so how?

71. A range of financial protection tools were suggested in response to this question, including compensation schemes, professional indemnity insurance including a run-off policy, and the requirement to keep client money separate from that of the provider. ACCA argued that professional indemnity insurance does not adequately address the risk of fraud in estate administration, and noted that practising members of ACCA are required to hold fidelity guarantee insurance that will provide cover in respect of acts of fraud.
72. In addition, Anthony Collins Solicitors suggested that a copy of the accounts for each testator should be filed with their will so that the beneficiaries can view both documents together. For Citizens Advice the regulation of alternative business structures (ABS) provided a possible way forward through the requirement for a client finance director. IPW highlighted that their members are no longer permitted to accept longer term advance payments, such as those for probate or estate administration given at the time of writing the will, due to the possibility of consumer detriment that these types of payments create.
73. Respondents displayed a diversity of views on the second part of this question. The Master of the Faculties did not believe that it would be practical, cost effective, efficient or sensible for clients' money to be held separately by a financial institution rather than by their provider. Further, the Law Society argued that client money should not be held by third party institutions, as inaccessible client money could contribute to delays in service and therefore ultimately to costs for the consumer. Conversely, STEP considered requiring financial institutions to hold consumers' money to be the best available option for safeguarding funds. ILEX also agreed that there could be benefits to such an arrangement.

LSB Response

74. We emphasise that arrangements laid down by the regulators should seek to protect client money and provide recompense for any financial detriment, while remaining proportionate and not creating unnecessary barriers to entry to the market.
75. We expect that the combination of tools put forward by regulators will be based upon proper consideration of the risks to consumers created by will-writing and estate administration and are proportionate to them. We would encourage approved regulators to explore all options for achieving the required outcomes. This includes options for holding client money away from providers. We would reiterate that it is unlikely the LSB will accept financial arrangements proposed by regulators that effectively constitute a simple transfer of their current financial protection tools without review. We expect it to be demonstrated that all requirements, including existing requirements, are justified given the evidence of risks and tests of proportionality.

Q6: Do you agree that education and training requirements should be tailored to the work undertaken and risks presented by different providers and if so how do you think that this could work in practice?

76. In its response the National Consumer Federation (NCF) advocated a basic level of relevant education and training plus specialist qualifications for any provider wishing to practice in either will-writing, probate or estate administration. The Law Society highlighted that difficulties may arise if providers trained only in basic will-writing fail to recognise when a situation is beyond their sphere of knowledge, while Convenient Wills argued for the introduction of an accepted and recognised exam across the sector.
77. Other respondents were in general agreement that training should be tailored to the work being undertaken, with some calling for mandatory and regular continuing professional development. Mayfield Bell Solicitors highlighted that from the point of view of the regulator specifying a particular kind of qualification is inevitably in tension with a focus on outcomes. They suggested an industry-wide code of conduct would be more effective in raising awareness of what consumers can expect and driving change on the part of the provider. Save the Children expected that the onus would be on providers to show their regulator how they meet the minimum standards required.

LSB Response

78. We expect that the arrangements set by regulators for providers of wills and estate administration activities will focus on the entity, rather than the individual. There should be a move away from relying on the traditional badges of title that are common within the legal professions towards requiring providers to show that they have an appropriate mix of skills, knowledge, experience and controls to deliver the outcomes set. This approach would reflect the mixed nature of the workforce, including firms headed up by people without a protected professional title. It would also allow greater flexibility for employers to determine the education and training that will deliver the skills they need in their

employees. These needs will vary among providers depending upon the work being undertaken.

79. In most cases it will fall to the provider to prove to their regulator that they have a workforce that continues to be appropriately trained to undertake the volume and complexity of work they are involved in. We do not expect to see prescriptive rules being imposed in this area due to their dulling effect on competition. The approach adopted by regulators should be sufficiently flexible to adapt to changes in the market such as new educational products becoming available.
80. Readers are referred to our guidance for further consideration of education and training.

Q7: Do you agree with the activities that we propose should be reserved legal activities? Do you think that separate reviews are required of the regulation of activities relating to powers of attorney and/or trusts?

81. Respondents displayed a range of views on this question. More than half agreed with both the activities proposed for reservation and that powers of attorney and trusts should be subject to separate review.
82. Both CLC and Citizens Advice expected that both powers of attorney and trusts would fall within the definition of activities ancillary to will-writing and estate administration. Conversely, ACCA argued that any activities ancillary to will-writing and estate administration should not be reserved where they are provided separately from the core activity.
83. STEP felt it would be unnecessary for the latter two areas to be subject to separate review. NCF expressed the opposite view. In contrast, IPW found little evidence of consumer detriment being caused by activities related to powers of attorney, but advocated a review of trusts. They argued that, although drafting trusts is regulated, in their experience an increasing number of will writers were providing advice in this area and subcontracting the drafting to regulated providers, if not simply doing the work themselves. It was felt that, where the administrative part of the process was regulated, but the advice was not, regulation was the wrong way to provide adequate protection for consumers.

LSB Response

84. As noted above, we intend to propose clear and separate definitions of both will-writing and ancillary activities, and estate administration and ancillary activities, in our provisional report. We would refer readers to the provisional report for further information.
85. We welcome the varying opinions offered by respondents in answer to the second part of this question. The LSB does not have any current plans to include a review of activities related to either powers of attorney or trusts within this investigation. The exclusion of these activities is based on the fact that they are separate legal activities to both will-writing and estate administration, and therefore pose two separate sets of risks. In addition, we have not seen any

strong evidence that these areas require immediate review. We remain willing to review any research or evidence we receive from stakeholders in these areas.

Q8: Do you agree with our proposed approach for regulation in relation to ‘do-it-yourself’ tools and tools used by providers to deliver their services? If not, what approach do you think should be taken and why?

86. LeO welcomed the approach taken by the LSB, and noted the importance of avoiding regulatory loopholes in relation to new ways consumers are shopping for legal services. Most other respondents also agreed with the methodology outlined in the consultation paper.
87. TenMinuteWill.co.uk argued for regulation wherever there is a two-way interaction between consumer and provider. This would exclude off the shelf DIY packages and self help books, but where an advice line was offered in addition to such products the provider of that advice would be regulated.
88. However, CLC disagreed with the approach outlined in the consultation paper. They argued it meant that certain elements, but not all, of DIY type packages would be subject to regulation, which is likely to be confusing for the consumer. This, they felt, would not be consistent with the regulatory objective of protecting and promoting the interests of consumers.

LSB Response

89. The LSB appreciates the difficulty of drawing a boundary in this particular area. However, as it is necessary for one to be drawn, we intend to adhere to the approach outlined in the consultation document that any checking service provided in addition to a self-completion package should fall within the scope of regulation. Consumers using a purely do-it-yourself service with no additional advice included will not be covered by the proposed new reservations.
90. We have considered evidence of both high and low quality services being offered online, and will be alive to any evidence of problems arising at the regulatory boundary being drawn. It is in keeping with LSB policy that where there is a choice between two regulatory options, the approach least restrictive of competition should initially be given a chance to prove its effectiveness (or otherwise). We consider that levels of regulation can always be increased at a later date if evidence emerges showing it to be necessary.

Q9: Do you envisage any specific issues relating to regulatory overlap and/or regulatory conflict if will-writing and estate administration were made reserved activities? What suggestions do you have to overcome these issues?

91. A number of respondents noted that while there would be regulatory overlap in the event of will-writing and estate administration becoming reserved, this would only create a situation equivalent to that already existing in relation to other regulated legal activities. The SRA did not anticipate any insurmountable

difficulties. However, IPW noted that intelligence sharing between approved regulators would be necessary to ensure that providers subject to sanction by one regulator could not find sanctuary with another.

92. Respondents representing other regulated professions, including bankers and accountants, emphasised the regulatory frameworks they already operated within. It was felt that LSB should review the extent to which this existing regulation could meet the concerns expressed within the consultation document.

LSB Response

93. We note and understand the concerns expressed by bodies from some of the non-legal regulated professions. We would restate our opinion that the circumstances in which those providers will face problems caused by regulatory overlap should not be overemphasised¹⁰. Overlaps of responsibility need not lead to duplication of burdens on providers, so long as regulators cooperate effectively. If a non-legal regulated provider is not providing a will-writing or estate administration activity they will not be subject to regulation under the proposed new reserved activities. For further explanation of the activities that would be included within the new reservations please see our draft report and guidance.
94. Where a non-legal regulated provider does intend to provide will-writing or estate administration activities we will require the legal services regulation they are subject to be proportionate. The authorised regulators must take any existing regulation in other sectors into account when considering the risks posed by the provider in question.

Q10: Do you agree that the s190 provision should be extended to explicitly cover authorised persons in relation to will-writing activities as well as probate activities following any extension to the list of reserved legal activities to the wider administration of the estate? What do you think the benefits and risks would be?

95. Most respondents felt that in the interests of parity of treatment, legal professional privilege should be extended to cover the possible new reservations. The Law Society cautioned that any extension of section 190 should only cover authorised persons undertaking the work specified in the new reservation. As legal professional privilege conflicts with the public policy argument that cases be decided on all available evidence it was considered to be essential that any extension only included properly regulated authorised providers bound to adhere to the highest professional standards.
96. A number of respondents felt that extending legal professional privilege was a step significant enough to warrant separate consultation. The Fry Group and Surrey Law Society felt that an extension of section 190 would be

¹⁰ We note that Licensing Authorities have signed a framework Memorandum of Understanding with other regulators who may also regulate multi-disciplinary practices. This Memorandum is designed to manage potential regulatory overlap should it occur.

inappropriate. The latter argued that any change to legal professional privilege should be a matter for Parliament.

LSB Response

97. The LSB is in agreement with the majority of respondents that professional privilege should be extended to consumers of all activities covered by the proposed new reservations, regardless of their choice of provider. Not to have such equality of treatment would allow a competitive advantage to those providers whose clients did enjoy the benefit of privilege. This would not be compatible with the regulatory objectives of promotion competition or protecting and promoting the interests of consumers. As was explained above, we view this as progress along the course laid down by the Act of liberalising the market by separating the right to perform the reserved activities from the requirement to hold a professional title.
98. Moreover, we note that under the Act consumers of estate administration activities already receive benefit of professional privilege when those activities are provided alongside probate activities. It would seem logical that this should be extended to the provision of estate administration activities in any situation.
99. As set out earlier, the LSB intends to keep this area under review pending the ruling of the Supreme Court in *Prudential PLC v Special Commissioners of Income Tax*. With any extension to reserved activities we will explore how any consequential changes made to privilege may be achieved.

Q11: Do you have any comments on our draft impact assessment, published alongside this document, and in particular the likely impact on affected providers?

100. Respondents provided a range of comments on LSB's draft impact assessment. The Law Society wished to challenge the assertion that 'significant additional costs would not fall on those firms that are members of other regulatory schemes... because these firms... are deemed to have fit-for-purpose compliance arrangements.' The Society took issue with this comment for appearing to suggest that IPW and SWW were assumed to have sufficient standards and protections in place. It was felt that if the standards set by LSB did not match those already set for currently regulated providers a two tier system could be created. STEP also expressed surprise at the conclusion that most non-solicitor organisations would incur little or no additional cost in adhering to mandatory regulation beyond extending the coverage of the Legal Ombudsman Service. IPW also commented on costs and sought to understand the methodology behind the LSB's conclusion that costs to firms to access the Legal Ombudsman scheme are £380 per year, while the accountancy groups wanted further consideration of the costs of dual regulation.
101. In CILEX's opinion the key benefit for consumers of will-writing and estate administration would be access for all to the Legal Ombudsman. They were also pleased to note the impact assessment revealed that reservation should

positively affect vulnerable clients and clients on lower incomes. The National Consumer Federation expressed concern at the LSB's risk based approach to regulation, as they opined that regulators often defined risks too narrowly. If such an approach were to be taken NCF requested that consumer groups be included in determining the relevant risks.

LSB Response

102. We would like to clarify our viewpoint in relation to the costs of regulation. We note that members of self-regulatory schemes already experience costs in relation to that membership. We have not reviewed whether the compliance arrangements for either the regulated or the unregulated sector are currently fit-for-purpose for the risks identified in these markets. LSB will assess regulatory arrangements of any organisation that applies to be designated as an approved regulator for any newly reserved activities. If the compliance arrangements that are currently being experienced by these providers are effective in delivering consumer protection then in theory there should be minimal extra cost to those providers upon the introduction of the new reserved activities. If the arrangements are insufficient it is possible that extra financial burden may occur.
103. We note with thanks the views expressed by NCF. We will definitely expect approved regulators to consult with consumer groups in determining risk. However, we caution that, as protection against each different risk will increase costs for consumers, a boundary between further protection and further cost will have to be drawn at an appropriate point. We have recently commissioned research into how much consumers are willing to pay for added protections, and, once complete, this may provide a useful tool for both the LSB and the approved regulators in drawing this boundary.

Glossary of Terms

ABS	Alternative Business Structures. From October 2011 non-legal firms will be able to offer legal services to their customers in a way that is integrated with their existing services. Additionally, law firms will be able to develop their portfolios to compete across wider areas compared with their existing experience.
ACCA	Association of Chartered Certified Accountants. Approved regulator in relation to reserved probate activities
AR or approved regulator	A body which is designated as an approved regulator by Parts 1 or 2 of schedule 4, and whose regulatory arrangements are approved for the purposes of the LSA and which may authorise persons to carry on any activity which is a reserved legal activity in respect of which it is a relevant AR
Authorised Person	A person authorised to carry out a reserved legal activity
BSB	Bar Standards Board – the independent Regulatory Arm of the Bar Council
CLC	Council for Licensed Conveyancers – the regulator of Licensed Conveyancers
COFA	Compliance Officer for Finance and Administration within an ABS
COLP	Compliance Officer for Legal Practice within an ABS
Consultation	The process of collecting feedback and opinion on a policy proposal
Consumer Panel or the Panel	The panel of persons established and maintained by the Board in accordance with Section 8 of the LSA (2007) to provide independent advice to the Legal Services Board about the interests of users of legal services
FSA	Financial Services Authority – the regulator of all providers of Financial Services in the UK
HOFA	Head of Finance and Administration within an ABS
HOLP	Head of Legal Practice within an ABS
ICAEW	Institute of Chartered Accountants of England and Wales – the representative body for Chartered Accountants in

	England and Wales
ICAS	Institute of Chartered Accountants of Scotland – the approved regulator in relation to reserved probate activities
ILEX Professional Standards Board	Institute of Legal Executives – the independent regulatory arm of the Institute of Legal Executives
Impact Assessment	An assessment of the likely impact of a policy on cost, benefits, risks and the likely or actual effect on people in respect to diversity
Institute of Legal Executive	Representative body for Legal Executives
LA or Licensing Authority	An AR which is designated as a licensing authority to license firms as ABS
LSB or the Board	Legal Services Board – the independent body responsible for overseeing the regulation of lawyers in England and Wales
LeO	Legal Ombudsman - The single organisation for all consumer legal complaints
LSA or the Act	Legal Services Act 2007
OFT	Office of Fair Trading. A non-ministerial government department of the United Kingdom, which enforces both consumer protection and competition law.
OLC	Office for Legal Complaints. NPDB established by the Legal Services Act to establish an independent Legal Ombudsman Service (see LeO)
Principles of Better Regulation	The five principles of better regulation, being proportional, accountable, consistent, transparent and targeted
Regulatory arrangements	The rules and regulations that make up the conditions of authorisation and practice for authorised persons
Regulatory Objectives	There are eight regulatory objectives for the LSB that are set out in the Legal Services Act (2007): <ul style="list-style-type: none"> • protecting and promoting the public interest • supporting the constitutional principle of the rule of

	<p>law</p> <ul style="list-style-type: none"> • 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.
Regulatory Rules or rule books	Set out a regulatory arrangements of Regulators
Reserved Legal Activity	Legal services within the scope of mandatory regulation by the Approved Regulators
SRA	Solicitors Regulation Authority - Independent regulatory body of the Law Society
Statutory Instrument	A form of legislation which allow the provisions of an Act of Parliament to be brought into force or altered without Parliament having to pass a new Act.

Annex 1: List of respondents

Alan Milne, Martin Sandle & Co

Anthony Collins Solicitors

Association of Women Solicitors

British Bankers Association (BBA)

Chartered Institute of Legal Executives and ILEX Professional Standards (joint response offered) (CILEX & IPS)

Citizens Advice (CA)

C. Johnston

Convenient Wills

Costs Lawyer Standards Board (CLSB)

Council for Licensed Conveyancers (CLC)

DPL Professional

Dynamic Lawyers

Financial Ombudsman Service

Gaynor Hill, Solicitor

Institute of Chartered Accountants in Scotland (ICAS)

Individual Trading Standards Officer

Institute of Legacy Management

ITC (formerly Independent Trust Corporation Ltd)

Lawtalks

Legal Ombudsman (LeO)

Legal Services Consumer Panel (LSCP)

Liverpool Law Society (LLS)

Master of the Faculties

Mayfield Bell Solicitors

National Consumer Federation
Notaries Society of England and Wales
Office of Fair Trading (OFT)
Portology Ltd t/a tenminutewill.co.uk
Save the Children
Society of Trust and Estate Practitioners (STEP)
Solicitors for the Elderly
Solicitors Regulation Authority (SRA)
Solicitors Sole Practitioners Group
Surrey Law Society
The Association of Chartered Certified Accountants (ACCA)
The Chartered Institute of Taxation and Association of Taxation Technicians
The Fry Group
The Institute of Chartered Accountants in England and Wales (ICAEW)
The Institute of Professional Willwriters (IPW)
The Law Society
The Society of Scrivener Notaries
The Society of Will Writers & Estate Planning Practitioners (SWW)
Videowills.co.uk