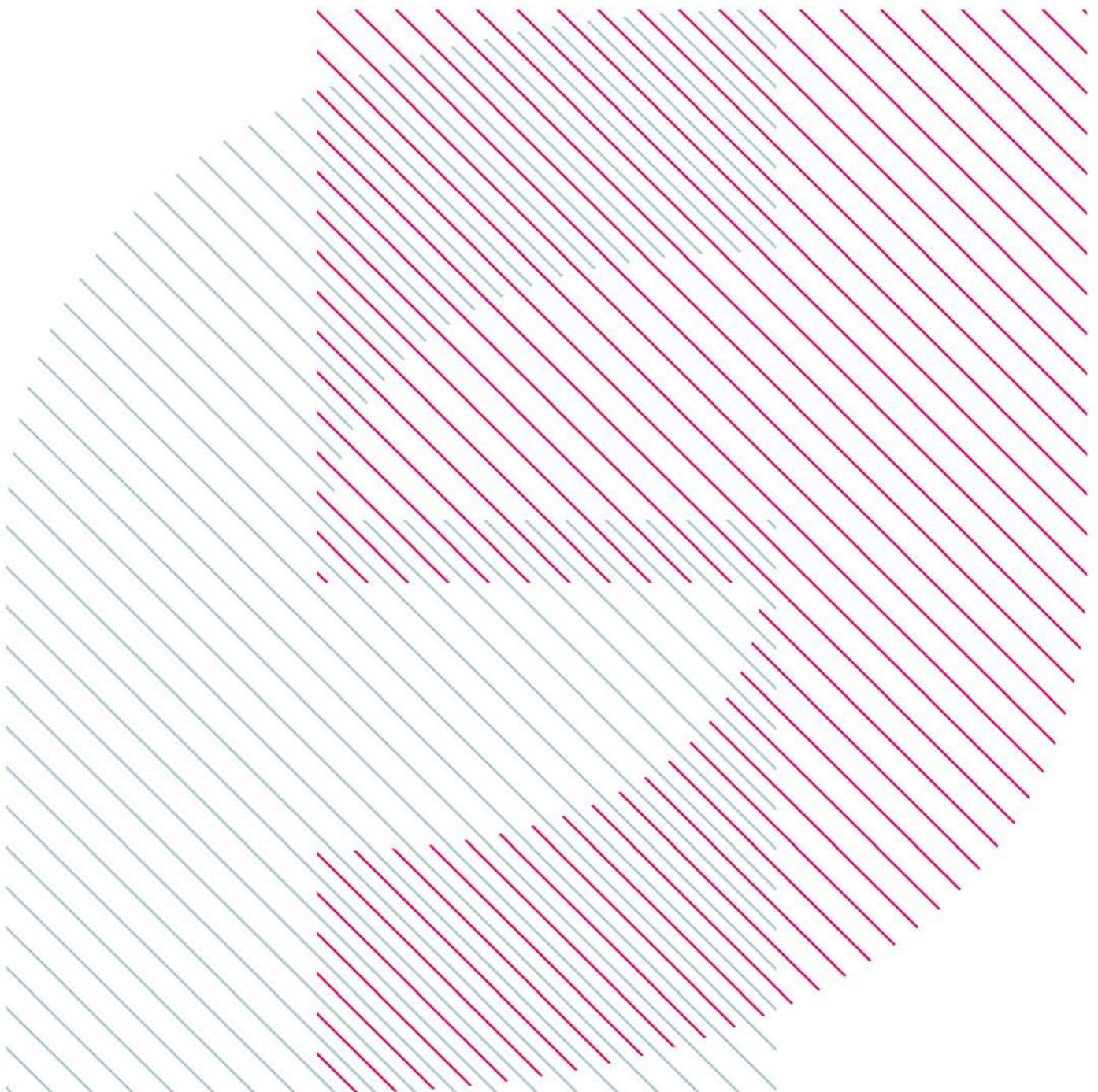




**Legal Services Board:
2018-2021 strategic plan
and 2018/19 business plan**



Introduction

1. The Legal Ombudsman (LeO) was established by the Legal Services Act (2007). Our role is two-fold: to provide consumer protection and redress when things go wrong in transactions within the legal services market, and also to feed the lessons we learn from complaints back to the profession, regulators and policy makers to allow the market to develop and improve.
2. We welcome the opportunity to respond to the Legal Services Board's (LSB) consultation on its new strategy (2018-21) and business plan (2018/19), which sets out a clear continuity of development work for the next three years.
3. We are also particularly invested in the opportunity to improve public understanding of legal rights and duties, and improve access to justice. We are keen to engage with the LSB on research projects, with a particular focus on vulnerable consumers and their access to legal services.
4. Our wider view on the strategy is positive: the document makes pertinent assessments of the legal landscape at this time and sets achievable aims for the next three years. We believe that these objectives will keep legal services on the right track at a time when an unpredictable political environment may make planning more uncertain.

LSB Draft Strategy 2018-2021

Q.1 Are there any additional significant market trends or drivers for change that you are aware of that we should also take into account?

5. The strategy document achieves good coverage of the main trends and drivers in the legal services market at the moment. We note especially the ongoing pressures related to leaving the EU and lack of funding in many areas, as well as significant unmet legal need continuing to prevail.
6. We are pleased to see the recent Tailored Review from the Ministry of Justice identified in these drivers, and look forward to working with the LSB this year on OLC/LeO matters arising from this as well as our ongoing statutory engagement.
7. We believe that matters relating to unauthorised providers could usefully be expanded upon as this has been identified in the Competition and Markets Authority report as a major issue for the years to come. We recognise that the issue is already referenced, but we believe the LSB should consider more specifically how it might begin planning for scenarios should the scope of regulation extend. In particular, it would be useful to understand in greater detail the impact that this might have on resources and

consumer redress. While we cannot explore the issue of redress ourselves without a separate budget, we believe that building a wider understanding of the issue would be beneficial for the legal services market as a whole.

8. From our own experience, we are also seeing greater demand from consumers of legal services, with increased complaint volumes this year in comparison to 2016/17. We would be pleased to work with the LSB and others outside the sector to understand whether there has been a change in the market that is driving this, and to what extent we can expect it to continue. We would be interested to know whether this is a shared experience or limited to the Legal Ombudsman alone, and if so, why that might be. We believe there would be value in the LSB looking further into this matter.
9. Finally, we strongly suggest that the planned review of LASPO confirmed by the Lord Chancellor in late 2017 should be considered a potential driver for change. This review is likely to cut across several areas of work, and the LSB will need to be ready for changes in the market as a result.

Q.2 Do you have any comments on our proposed strategic objectives?

10. On the third objective, we believe that the LSB could usefully aim to *promote* rather than increase innovation, growth and diversity. This might better reflect the role of the LSB in creating the conditions for change in the market rather than mandating innovation, through working with regulators and the profession.

Q.3 Do you have any comments on our proposed equality objectives?

11. The equality objectives seem appropriate and we are pleased to see that the LSB intends to collaborate and engage with organisations including our own to improve diversity of provision. In particular, we are supportive of efforts to conduct more research in this area, and would welcome opportunities to work collaboratively with the LSB.
12. We currently have an internal project looking at the importance of supporting vulnerable complainants and what we need to do to help investigators support these complainants throughout investigations. This might include putting new processes/procedures, skills development, and training in place to help staff handle complex situations and requirements.
13. We are keen to find key themes across various sectors of vulnerable consumers. In particular, we would be interested to see research from the LSB on non-stereotypical cases of vulnerability (such as grief, financial difficulty) to supplement the work that has already been done.

Q.4 Do you have any comments on our proposed approach to market intelligence within our strategy?

14. We are encouraged to see the various aspects of the LSB's approach to market intelligence, and especially welcome opportunities to work in partnership on projects, as mentioned above. As always, raw data from surveys is useful to our own assessments of the market and so we appreciate continued commitment to its provision.

Q.5 Do you have any other comments about the presentation or content of our strategy?

15. Our assessment of the content of the strategy is laid out in detail above. We find the presentation of the strategy to be clear, well-presented, succinct and accessible. The use of graphics is particularly helpful in communicating ideas.

LSB Draft Business Plan 2018/19

Q.6 Do you have any comments on our proposed business plan and work for 2018/19? Are there any workstreams that you disagree with? Is there any work that you think we should pursue that is not currently included?

16. The business plan covers the main areas set out in the strategy and the workstreams appear sensible.

Q.7 Please identify any elements of our strategy or business plan that you think present an opportunity for more detailed dialogue and/or joint working between your organisation and the LSB.

17. As previously mentioned, LeO would be eager to engage on any potential research projects the LSB has planned, especially regarding changes in demand and on vulnerable consumers. We see these as good areas for collaboration with the LSB and are keen to share our own insights to help your work. We are happy to continue dialogue on this matter in the course of our ongoing engagement with the LSB.

Conclusion

18. Thank you for the opportunity to comment on the Legal Services Board's 2018-2021 strategic plan and 2018/19 business plan. We look forward to working with the LSB on shared priorities during 2018/19.

For any questions about our response please contact our Parliamentary and Policy Associate at sarah.ritzenhaler@legalombudsman.org.uk.
