

Thursday, 28 January 2016

Ms Maria Rican-Sevitz
Assistant Project Director
Legal services market study
Competition and Markets Authority
Victoria House
Southampton Row
London
WC1B 4AD

By email only: legal.services@cma.gsi.gov.uk

Dear Madam,

Legal services market study

This is a response from the committee of the Sussex Law Society ('SLS') to the CMA's invitation for views on its forthcoming study into the legal services market in England & Wales. The SLS is a professional organisation for solicitors practising and living in the Sussex area. This response expresses the views of the committee and not those of any individual member.

Concerns over the standards and affordability of legal services, along with the complexity of regulation solicitors are required to perform under are recognised and, generally, an examination is welcomed. Unfortunately, for solicitors, the market place puts the professional at a disadvantage. There are other providers of legal services who are not subject to the same level of regulation. Solicitors are put under an uncompetitive economic burden. The best interests of the public are not protected by non-lawyers who are not subject to the same high standards and regulation.

Each and every solicitor has committed a significant personal & financial investment in graduating, training and qualifying. Once in practice, solicitors are heavily regulated, required to carry insurance and comply with stringent professional standards.

Regulation is there to protect the consumers of legal services. However, for any market to function properly, that regulation has to be equally applied across all providers. It is not clear that consumers recognise the

difference and the added quality & protection given when using solicitors. If, in the public's eye, there is no differentiation -- between solicitors and non-lawyers – confidence in the whole market is tarnished & solicitors prejudiced as a consequence of the excesses and/or incompetence of non-lawyers. Perhaps unregulated providers should be required to inform the public and businesses that if they do purchase services from them, they will get less protection? For consumers to make an informed purchasing decision, surely this difference must be explained? How can consumers know if they are adequately protected from harm, or can obtain redress, if they do not know who they are purchasing from?

Consumer protection quite rightly requires high standards and solicitors, as a profession, have these but are then heavily regulated. All providers in the legal market place should be subject to the same standards & regulation. As an alternative, for solicitors to be able to compete fairly, in the same market, they should be subject to the same regulation as unregulated providers.

Yours faithfully

Oliver Maxwell-Jones

Solicitor

General Committee Member

for and on behalf of the Sussex Law Society