

REMEDIES PROGRAMME IMPLEMENTATION GROUP (RPIG)

**Minutes of the sixth meeting of the RPIG
held on Tuesday 6 February 2018**

<i>Attendees</i>	
Sheila Kumar – CLC – Chair	Sharon Horwitz – CMA
Helen Whiteman – CILEx Regulation (by telephone)	Paul Kellaway – CMA
Ewen MacLeod – BSB	Matteo Bassi – CMA
Jane Malcolm – SRA	
Stephen Brooker – LSB	
Lynn Plumbley – CLSB (<i>by telephone</i>)	
	<i>Apologies from</i> Caroline Wallace – LSB Vibeke Bjornfors – LSB Paul Philip – SRA Crispin Passmore – SRA Peter James – ICAEW Rachel Merelie – CMA Vanessa Davies – BSB Howard Dellar – Faculty Office Fran Gillon – IPReg

Introduction and apologies for absence

1. The Chair welcomed attendees to the sixth meeting of the group and noted apologies.

Regulators' consultations

2. The attendees provided an overview of the scale and nature of responses to their respective consultations which had closed around the New Year.
3. The Group noted that, once all responses have been reviewed and considered the main challenge would be in deciding what, if any, changes were necessary and in the event that changes were felt necessary whether they would be best delivered through rules or guidance.

4. The Group discussed the extent to which any changes should be prescriptive, based on specific templates and the degree of consistency that regulators should strive for across services.
5. The Group noted that regulators with outcomes based rules might be better able to drive change through amending guidance rather than imposing additional specific requirements.
6. Each regulator would be presenting proposed actions to their respective Boards over the coming months. Where rule changes were anticipated, they would most likely become effective by the end of 2018 or early 2019.
7. Specific timings would be in part driven by the need to consult with firms about the nature of any guidance.
8. The Group agreed to meet again after the regulators have gone through their governance processes or have completed the review of consultation responses to discuss timings of the implementation phase.

ACCA

9. The Group noted that the LSB had approved ACCA's application to introduce regulatory arrangements for probate activities. The CMA were planning to meet with ACCA to provide an overview of the work of RPIG and current progress and LSB would have regular contact as part of its oversight role.

Legal Choices and single digital register

10. The SRA provided an update on the current proposed procurement of research and design services in order to revamp the Legal Choices website. Appointment of a provider would be subject to approval by the Legal Choices governance board.
11. SRA further noted the positive response from consumer and business groups to its invitation to join the advisory panel for Legal Choices.
12. The SRA also provided a brief update on progress on the single digital register.

Unauthorised and self regulated groups

13. PK provided the Group with an update on the CMA's proposed event for representative and membership bodies in March. It was hoped that regulators would be able to attend and share with the attendees their current approaches, areas of focus and timeframe for any potential changes.

ACTION: CMA to circulate details to RPIG members. RPIG members to confirm their attendance at the event.

Consumer engagement

14. The Group discussed the potential scope for further engagement with consumer groups. It was recognised that these groups had limited resources to engage with detailed policy proposals, though there might be scope to engage with them through the Legal Choices advisory panel. The Group agreed to reconsider this point at a later stage.

AOB - Evaluation

15. The Group discussed how best to evaluate the impact of any changes. The CMA noted the various source of evidence that will be used to evaluate the impact of any changes, including the pricing research work undertaken by the LSB and the LSCP's tracker surveys. In particular, LSB pricing research was noted as an important source of evidence, but noted that it was subject to LSB resource constraints and was currently planned to be updated once every 2/3 years.
16. PK noted that the CMA conducts periodic remedy reviews for mergers and market investigation references and that whilst the outcomes of the market study were recommendations there might be scope to consider the effectiveness of its approach. The CMA had committed to returning to the market at some point and this could be a way to evaluate the different approaches adopted by regulators.

AOB – Scottish regulatory review

17. Several members of the Group noted that they would be feeding into the current review of legal services in Scotland.