

Sent by email only to [LegalServicesReview@cma.gov.uk](mailto:LegalServicesReview@cma.gov.uk)

30 September 2020



Dear Sir/Madam

### **Consultation: The CMA Call for Input**

The Legal Services Consumer Panel (the Panel) welcomes the opportunity to respond to the Competition and Markets Authority's (CMA) call for input.

The Panel is pleased that the CMA is re-assessing the sector against the recommendations it made in 2016 for enhanced competition in the sector, specifically in relation to transparency measures.

#### **Compliance, monitoring and evaluation of the rules**

Most of the regulators now have a set of prescribed rules around price transparency, which has the potential to improve consumers' ability to shop around and make informed decisions. Although there is some evidence to suggest limited compliance with these rules to date, we have not seen their comprehensive evaluation by regulators. As such, it is difficult to draw conclusions on whether more time is needed for the rules to embed, whether the rules need refining, or whether regulators need to enforce them more rigorously. This is a matter we would like the CMA to assess.

In our opinion, most of the regulators' rules are clear. Moreover, some regulators, such as the Council for Licensed Conveyancers (CLC) and the Solicitors Regulation Authority (SRA), engaged extensively with stakeholders to ensure that the rules would be meaningful within their regulated communities. Some rules, on the other hand, such as those of the Bar Standards Board (BSB), appeared excessively complex. When the BSB finalised their rule proposals we said:

*“On balance we continue to think the BSB’s approach is not sufficiently aligned to the needs of consumers. The proposals are complicated and unnecessarily nuanced. This is likely to make it hard for the BSB to determine how it would help and support its regulated communities to comply with these new rules. That said, we are hopeful that the regulator will monitor compliance and make necessary adjustments should the rules prove inadequate.”*

LSCP, Response to the BSB's transparency rules, December 2018.

Our position above remains the same in respect to the BSB's rules.

In our view, it is imperative that any future recommendations set out guidelines with dates for monitoring compliance, including the publication of monitoring statistics.

## Targeted recommendations and improved leadership

While the Panel was wholly supportive of the transparency recommendations made by the CMA in 2016, we warned against recommendations that were not sufficiently prescribed or targeted. The history of inaction by regulators in this sector prompted us to assert that:

*“Any remedies proposed by the CMA must therefore consider the historical pace of change and the strength of the challenge in the sector. Recommendations must also be targeted and directed at identifiable bodies, with timescales and reviews for publication built in as appropriate.”*

LSCP response to the CMA’s interim report 2016

In our view, stronger recommendations around quality indicators and a clear and defined leadership role for the Legal Services Board (LSB) would have helped the sector to advance beyond where it is now. We are now assured that, four years after the CMA Report, the LSB is moving in the right direction. In the meantime, the Approved Regulators have done little.

We consider it imperative that the CMA now outlines what progress on quality indicators looks like for the sector (in terms of what the consumer should expect to see regarding quality indicators, both in substance and in form, including comparability), drawing on its wealth of expertise and experience of other sectors.

There must also be clear milestones that are monitored, and progress measured. There must be an identifiable leader with clear responsibilities. The LSB, as oversight regulator, must be charged with not just monitoring and assessing, but also with leading and convening others, using its influencing powers as well as its regulatory powers where necessary.

### Reflections on the CMA’s questions

#### **Question 1: What challenges have legal service providers faced in complying with transparency measures, and how could these be addressed?**

The Panel is of the view that the regulators and providers are in the best position to answer this question.

#### **Question 2: Are consumers engaging with the new transparency measures including the availability of price information, e.g. by accessing the price information on the provider websites and/or using this information in their interactions with providers? Does this differ between areas of law?**

For the past nine years the Panel has commissioned YouGov to conduct an annual survey using a sample of consumers who have used legal services in the preceding two years. This year YouGov spoke to 3,623 legal services users. The evidence from our annual Tracker Survey<sup>1</sup> suggests that consumers are still struggling with pricing information across all areas of law.

#### LEVELS OF SHOPPING AROUND



The levels of shopping around increased slightly over the four years from **25% in 2016** to **30% in 2020**.

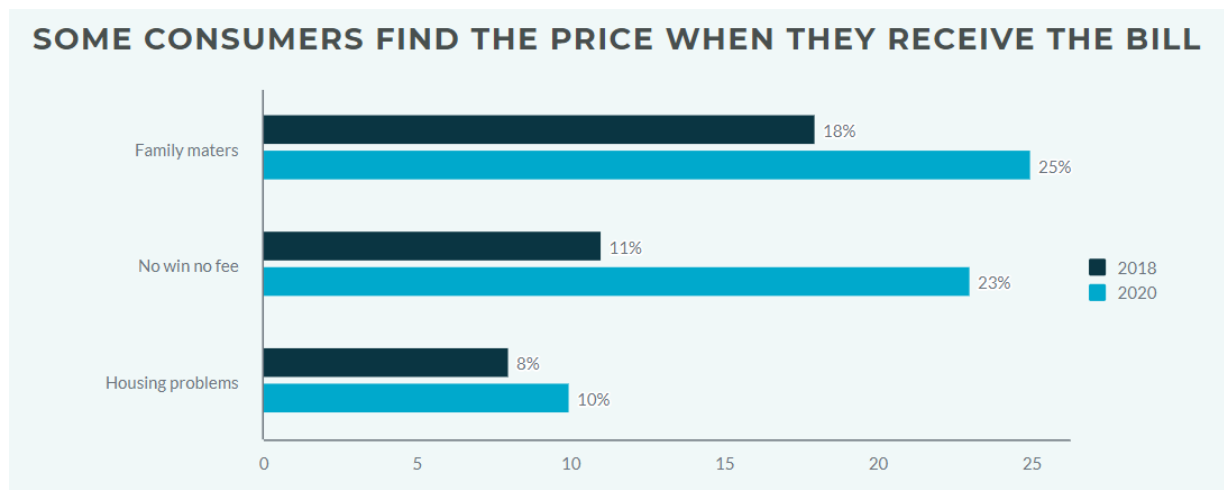
**6%** of consumers find the price on the provider’s website, and **3%** on a comparison website.



<sup>1</sup> [LSCP, Tracker Survey Research.](#)

It remains disappointing that only 6% of consumers found the price on the provider's website, 3% in an advertisement and 3% on a comparison website, see more on the infographic above.<sup>2</sup>

Worryingly, 7% found out the price only when they received their bill. It is even more concerning that consumers in vulnerable positions are more likely to find out the cost of their services upon receiving the bill. This happened to a quarter of consumers with family law issues in 2020. Consumers using no win, no fee services were twice as likely to find out the cost when they received the bill in 2020 than they were in 2018: see infographic below.<sup>3</sup>



Evidence from the Legal Ombudsman also revealed that in family law, disputes over costs are still the most numerous.

*In family law, the largest area of complaints we uphold are in relation to costs. This is often because consumers are not updated when costs increase or do not have the costs clearly set out from the outset.*

*When a service provider is instructed to deal with a divorce, the costs associated with this can be quite straight forward, however when finances and child access are also included, providers often fail to break the costs down for consumers. These three areas: divorce, finances, and child access, are separate elements and will have separate costs and estimates associated with them. Also, additional disbursements may be required which may not be known at the outset, these are not always shared with consumers at the earliest opportunity.*

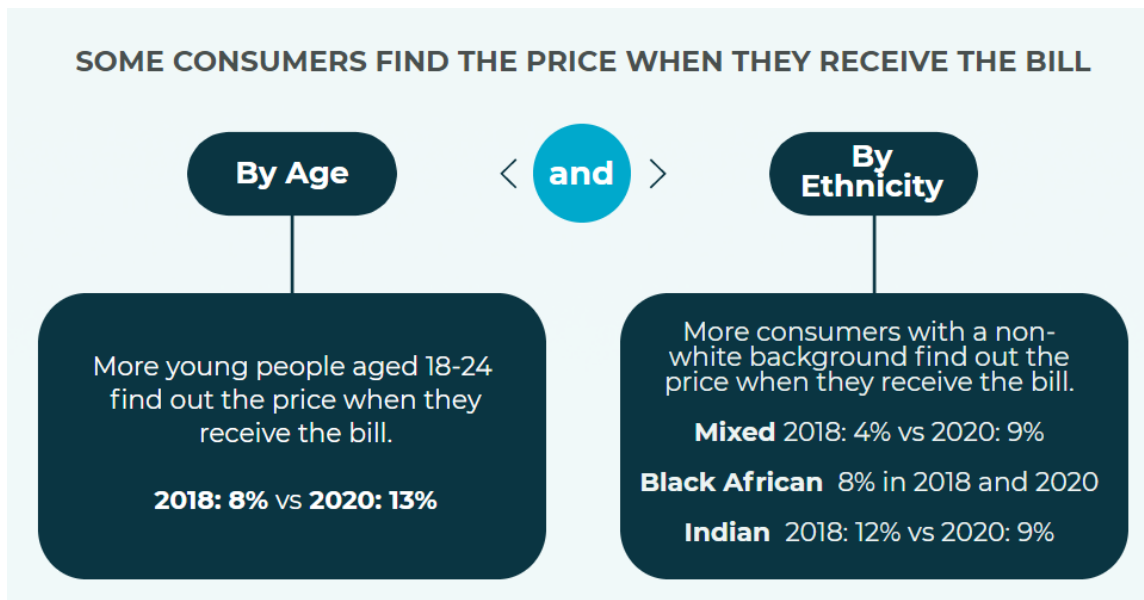
The Legal Ombudsman

Not only is there a divergence amongst areas of law, but there is also a divergence based on age and those from different ethnic backgrounds, as highlighted in the infographic below.<sup>4</sup> This suggests that those who are likely to be disadvantaged the most, are not benefiting from the desired transparency measures.

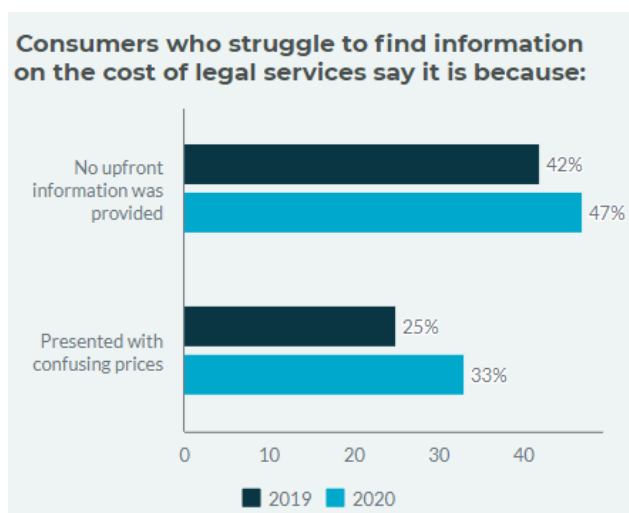
<sup>2</sup> LSCP, Tracker Survey data.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.



Our research asked consumers who struggled to find information on cost why they found it difficult. A considerable number said this was because the information was not available upfront or that they were presented with confusing information.



It is important to note that there is also an increase in the number of overall consumers asserting this when compared to figures from 2019. For example, in 2020, 47% of consumers who struggled to find information on price said it was due to no upfront information on cost, compared to 42% in 2019. In 2020, another 33% of consumers who struggled to find information on price said they were presented with confusing information compared with 25% in 2019; see infographics above.<sup>5</sup>

### **Question 3: How effective have transparency measures been in driving competition? Does this differ across areas of law?**

There is nothing to suggest that the transparency measures have been effective in driving competition in the market yet. The CMA will be well versed in the findings of the recent research commissioned by the LSB<sup>6</sup> that highlighted that there is still a wide dispersion of pricing in the market; an indicator that the market is not as competitive as it ought to be.

It is the Panel's view that there are many reasons why transparency measures have not begun to deliver good outcomes for consumers. There is anecdotal evidence to suggest that more needs to be done around compliance and enforcement of the prescribed rules. We know that in May 2020, the consultancy firm DG Legal<sup>7</sup> commissioned a survey of 422 websites and found that around 90% of firms were not

<sup>5</sup> Ibid.

<sup>6</sup> LSB, Price Research, September 2020.

<sup>7</sup> DG Legal, <https://dglegal.co.uk/news/sras-transparency-rules-survey-websites/>

complying with the price transparency rules, mainly by either not giving enough information or not making it sufficiently prominent; see infographic below.

### SOLICITORS' WEBSITE SURVEYED FULLY COMPLIANT WITH PRICE TRANSPARENCY RULES



While regulators may debate the semantics around full or partial compliance, it is important to emphasise that the responsibility for monitoring, evaluating, and publishing the findings sits firmly with the regulators. We have not seen enough evaluations completed, or even clear and well communicated timescales for future evaluations. So far, only the SRA has been transparent with regards to its evaluation, findings, and proposals to tackle non-compliance.

Also, the transparency measures have not begun to deliver good consumer outcomes because there is inadequate information about quality indicators. We have consistently said, even before the recommendations made by

the CMA, that price transparency and information on quality are co-dependent. For example, in our 2016 report,<sup>8</sup> we said that information on price is rarely efficient or optimal without information on quality.

We said it was imperative that quality and price are considered as a package of information that consumers need. While we welcomed the CMA's nudge to regulators to consider what might be done around quality, at the time we raised concerns about whether this would be sufficient. We said the history of inaction in the sector suggests that only regulatory intervention would work.

Four years on and we are even more convinced that progress will not be made without regulatory intervention. Little to nothing has been done to develop either a framework for quality indicators relevant to the legal sector, or to develop an appropriate set of indicators in individual legal segments, even though ideas have been tentatively mooted in the conveyancing sector.

#### **Question 4: To what extent has the Legal Choices website helped consumers to navigate the legal services sector? To what extent has improved content been actively promoted by regulators, consumer/industry bodies and service providers?**

In 2016, when we responded to the CMA's interim review, we said that any recommendations proposing to place Legal Choices at the centre of information dissemination to consumers must consider its current usage.

At the time we said we had no evidence to assure ourselves that the Legal Choices website is the first port of call for consumers seeking legal services providers, or how widely used the site is. We recommended that the CMA consider how issues around consumer awareness might be addressed, as this would impact on the CMA's recommendations.

<sup>8</sup> LSCP, Open Data in Legal Services, February 2016.

We also said:

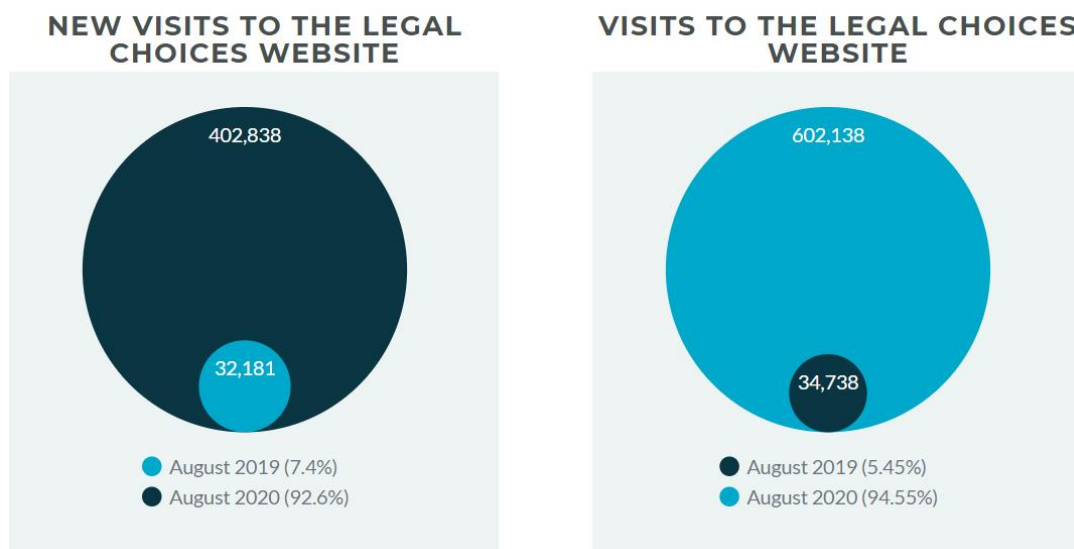
*“It is also important to highlight the practical limitations of Legal Choices. Some of this stems from the foundation of its origin, funding, and oversight mechanism. For Legal Choices to be effective, there must be a reevaluation of its resources and governance arrangements.”*

LSCP response to the CMA's Interim Report, August 2016.

Unfortunately, recommendations were made and targeted at the Legal Choices website without the evaluation we recommended. As such, the structure and governance arrangement of the entity remains fragile, as evidenced by the BSB's irresponsible withdrawal from the group in 2019.

The BSB's withdrawal left a funding gap that other regulators had to fill. But perhaps more importantly, it now raises questions about whether Legal Choices can continue to cover issues pertaining to the whole market without the BSB fully on board. There is a concern that BSB has now set a precedent for withdrawal, or for others to consider whether they wish to re-negotiate terms. This is not a solid foundation for a website that aspires to be pivotal to consumer education and information dissemination.

We still maintain that an independent evaluation of the site is necessary to establish what it can reasonably be expected to deliver considering the changing needs. This independent review should be commissioned by the LSB, with funding from all the regulators. The review should include an assessment of Legal Choices governance structure, objectives, strategy, funding, public legal education responsibility and future direction. Without this evaluation, or at least an independent review of the current governance structure we are unsure that the website will ever deliver to its full potential.



We must however commend the SRA for their leadership, direction, and the energy it has put into the website. Under its leadership and with a clear strategy, the website has seen a significant increase in visits (34,738 in August 2019, compared to 602,138 in August 2020) and there has also been an increase in new visits (from 32,181 in August 2019 to 402,838 in August 2020). See the infographic above. The plan to increase visits and new visits is working, whether it is at the level envisaged or needed must be assessed by the CMA.

The Panel has confidence in the team behind the site but is not convinced that the governance arrangements are satisfactory, or that it currently has the level of funding required for it to be a helpful tool for consumers.

Moreover, Covid-19 has led to new challenges, with consumers desperate for advice on a wide range of subjects from housing to employment rights to consumer law. There is even more need for a website and other digital tools and services that can educate and signpost consumers. While we believe the site has responded robustly to the need for information around Covid-19.

Since 2016, we have argued for regulators to have a register on the site which links basic information with conduct and complaints data, including data from the ombudsman. This is still to be done. More generally, we are not convinced that the site on its own is well designed to become a fully ledged comparison tool for consumers in this sector, as opposed to a more generic instrument for boosting general knowledge and understanding of the law and the legal sector.

**Question 5: To what extent are quality indicators needed to drive consumer engagement and competition? Which further indicators are needed and what are the barriers to these indicators being developed?**

The Panel has always been vocal about the need for quality indicators in the sector. It remains our strong view that quality indicators are needed to boost consumer choice and voice. Quality indicators are critical to support informed decision making and can contribute to empowering consumers to participate in driving up professional standards. The availability of quality indicators also has a role to play in raising sectoral standards as well as providing crucial data or information around performance, which can enhance competition as firms attempt to differentiate themselves.

In our strong opinion, the starting point is for the sector to have a shared understanding and definition of quality and then base quality indicators on this definition and shared understanding. This is an area we expect to see the LSB lead on.

We have made numerous recommendations in the past around what can be provided to consumers, including: first tier complaints data the publication of ombudsman decisions in full; the exploration of mystery shopping by the biggest regulators; as well as the promotion of third party review websites. Again, none of these have been progressed.

The biggest hurdle so far appears to be regulators wanting a blueprint of how this would work. With no clear direction thus far from the oversight regulator we fear things will remain stagnant. Since the CMA's report of 2016, we have produced three papers and hosted two roundtables to move regulators along, with no concrete outcome yet.

It remains our view that price transparency, devoid of quality information, may result in consumers fixating on price to the detriment of other important considerations. Asking consumers what they want and presenting them with carefully developed options by drawing on the lessons of other sectors will be crucial. The Panel has set out its own ideas of how the work should progress, starting with a common framework before drilling down to the indicators.<sup>9</sup>

It is important that the CMA considers what type of further research and/or engagement is needed in this area and if necessary, make recommendations in this regard, particularly because this sector is not renowned for high quality consumer-focused research. In other sectors, the CMA has prescribed specific types of research such as Randomised Controlled Trials to ensure that proposals or research deliver the desired outcomes. We are of the opinion that the legal sector needs such strong direction.

Leaving it to the sector will not be sufficient to deliver good outcomes for consumers. There has been no collaboration to date by the regulators, and the LSB itself has only

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<sup>9</sup> LSCP, A discussion paper on quality indicators in legal services, December 2019.

recently devised a plan. Consumers deserve better and should not have to wait another four years before they see some progress in this area.

**Question 6: To what extent are DCTs currently operating in the legal services market? What are the main barriers to greater use of DCTs in legal services and how can they be overcome?**

The Tracker Survey shows that the use of price comparison websites is low amongst users of legal services, with just 2% using price comparison websites in 2019 to choose a provider, unchanged since 2014.<sup>10</sup> There is potential for digital comparison tools (DCTs) to do well in the legal services sector, especially in areas that are more commoditised, such as conveyancing.

However, their development and progress has been hindered by a lack of access to information. Up until 2014, comparison websites struggled to gain access to basic data, such as contact details and membership of accreditation schemes. We were instrumental in advocating for regulators to make this information available. Although this information eased the path for one or two comparison websites, it was not enough. Comparison websites also need access to pricing and quality information; key choice factors for consumers. This is the core of what they present to consumers and what they freely have access to in other markets.

Until these pieces of information are available, it will remain difficult for comparison websites to fulfil their potential in this market.

Aside from the key limitation noted above, there are significant other challenges:

- a fragmented supplier base,
- lack of standardisation,
- service providers' unwillingness to have their services displayed on comparison websites,
- limited information on key choice factors for consumers, specifically on price and quality,
- reduced technological sophistication of comparison websites in this market.

**Question 7: What impact have ABSs and lawtech24 had on driving innovation in the legal services sector? Are there any barriers deterring further innovation?**

In March, the Consumer Panel published its Consumer Impact Report<sup>11</sup> which assessed the level of innovation in the legal services market using research data from the LSB/SRA research.<sup>12</sup> The report showed that there has been an increase in Alternative Business Structures (ABS), the use of fixed fees, online divorce, television advertising and multi-disciplinary services. However, the reality, according to the LSB/SRA research, is that levels of innovation remain below those of other professional services.

The 2018 research commissioned by the LSB/SRA found the pace of innovation had not changed since 2015, although the research did find that ABSs, new providers, and larger providers had higher levels of service innovation than other types of providers. Interestingly, the LSB's research shows that, on average, the unregulated sector is

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<sup>10</sup> LSCP, Tracker Survey data.

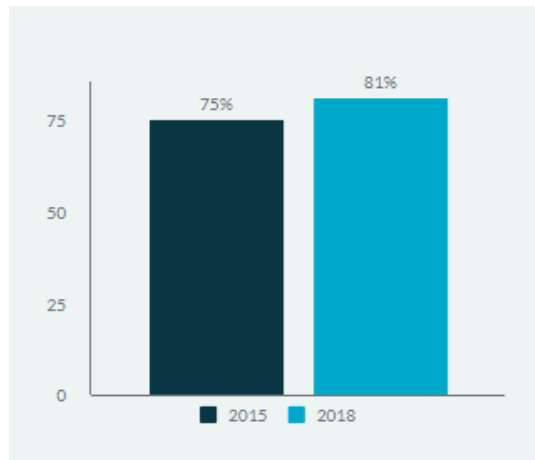
<sup>11</sup> LSCP, Consumer Impact Report, March 2020.

<sup>12</sup> LSB, Technology and Innovation in Legal Services, November 2018.



more innovative than the regulated sector and is far more likely to offer service innovation to consumers.

### ORGANISATIONS WITH A CULTURE SUPPORTING INNOVATION IN LEGAL SERVICES



In a sector with considerable challenges around unmet needs, we expect to see innovation that widens access to services through a reduction in service cost to consumers. However, we are not seeing this yet. The LSB's research indicates that the most reported business benefit from the modest level of innovation happening is around businesses being more responsive to consumer needs (48%), followed by increasing the quality or reliability of services (45%) and reducing the time taken to deliver services (43%). Around a third of providers had used technology to increase profitability (36%) or reduce the costs of service delivery (32%).<sup>13</sup>

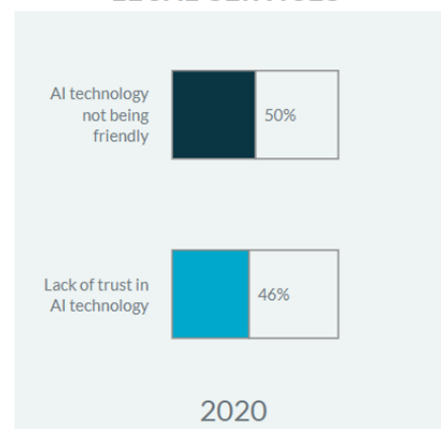
Providers reported several factors hindering their ability to innovate, such as lack of expertise or capacity in their business, regulatory factors, limited market opportunity, legislative factors and lack of necessary finance. In addition, we note cultural barriers, as identified by both the 2015 and 2018 research.

The 2018 report noted that a significant factor behind innovation was the existence of a leadership team (within a service provider business) that encouraged new ideas, structured processes, or policies to support or incentivise the introduction of new ideas. The LSB's research shows that the proportion of organisations that have a culture that supports new ideas has fallen from 81% in 2015 to 75% in 2018; see infographic above.

We accept that it is difficult to target culture, but this further demonstrates the need for regulators to do everything within their regulatory power to address tangible barriers to competition, to force or inspire culture change. Greater price transparency is a step in the right direction, but more must be done in other areas such as ensuring that there are adequate performance indicators and quality information.

We have access to limited information on the impact of LawTech on driving innovation in the legal services sector. However, flexibility and adaptability of regulation is essential for enabling innovations in the legal sector and we believe consumer involvement in the process is paramount.<sup>14</sup> This must involve a diverse group of consumers, ideally from the introduction and evaluation stages of LawTech services to testing the results.

### PERCEIVED BARRIERS FOR CONSUMERS USING AI-BASED LEGAL SERVICES



<sup>13</sup> Ibid.

<sup>14</sup> LSCP, LawTech and consumers, 2019.

Our 2020 Tracker Survey shows that the top two perceived barriers for consumers in using AI-based legal services are technology not being friendly (50%) and a lack of trust in AI technology (46%)<sup>15</sup>; see infographic above.

**Question 8: Are there other developments which have had or will have a significant impact on competition in the sector?**

There are some signs of investment in automation and artificial intelligence such as chatbots. The latter is in its early stages, but it has the potential to offer affordable access to legal expertise. Moreover, Covid-19 has arguably accelerated the wider and more sophisticated uptake (by providers and users) of electronic communications as a way of doing business, making it more likely that consumers may be persuaded to use the services of providers based anywhere in the UK, in light of evidence that there are considerable price differences between London/South East and elsewhere.

**Question 9: Are further measures needed to drive consumer engagement and competition in legal services in addition to the areas we have identified above?**

There is not enough consumer focused research in the sector. While one or two regulators have done a bit more in this regard, collectively, consumer research by the regulators remains minimal, particularly by small regulators. We accept that the smaller regulators have a constraint of limited budget, but research is a necessity for regulating in the consumer interest. Collaboration between regulators may provide part of the solution here, and the recently established public panel by the LSB and LSCP could also be utilised by regulators to fill some of the gaps in research.

**Question 11: What measures can be taken to develop a more flexible and proportionate regulatory framework within the Legal Services Act 2007 without requiring any, or only light touch, further legislative change, for example a review of the reserved activities as being considered by the LSB?**

The current regulatory framework is overly complicated. We know that this exacerbates information asymmetry and contributes to higher confusion and cost for consumers, who ultimately pay for regulation. Although we understand that there is currently no political appetite for primary legislation to provide the legislative reform needed to bring about lasting and real change in this sector, we are of the view that the CMA must be bold in asserting that this would be optimal, before exploring pragmatic or interim options.

Professor Stephen Mayson has conducted an extensive review which explores both long and short-term options. We believe this is a sound starting point. However, it is worth reiterating areas we have highlighted in the past, and which are discussed in Stephen Mayson's review.

**Redress:** At present, the consumer's ability to access redress depends on who they buy their legal services from, rather than the type of legal service they are buying. Should a consumer go to a regulated lawyer, such as a solicitor or barrister, the Legal Ombudsman is the avenue for redress for the various types of legal services they provide. However, to most people's surprise, there are in fact only a small number of legal activities which only regulated lawyers are permitted to provide, so that the same service could easily be bought from someone not covered by the Legal Ombudsman.

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<sup>15</sup> The question we asked in our Tracker Survey was: Thinking about using 'Artificial Intelligence' (AI) to access services, such as legal services. Which of the following, if any, do you consider to be barriers to you personally using services delivered through AI?

Giving the public general legal advice about fighting for custody of their children, claiming against an employer for unfair dismissal or carrying out some specific activities, such as making a will or preparing a power of attorney, can all be done by both regulated and unregulated providers leaving the unsuspecting consumer with no clear recourse to redress (if they choose the latter). We are therefore of the view that there needs to be an expansion of the Legal Ombudsman role, preferably covering all legal services, both regulated and unregulated.

At present, the Legal Ombudsman is unable to investigate complaints when the people losing out are not the lawyer's actual client, i.e. "third-party" complaints. Situations when this can happen include:

- Delays or mistakes by the other side's lawyer in a conveyancing transaction,
- Lawyers hired by corporate clients harassing people over disputed debts,
- Disputes over legal fees when someone agrees to pay the costs of the other side.

For a number of years, the Panel has argued for the Legal Ombudsman to accept some third-party complaints based on defined criteria. We accept that not every type of third-party complaint should qualify. However, the rules under which the Legal Ombudsman currently operates are too blunt, preventing even legitimate complaints by third parties from being considered. The Panel advises that, in certain situations, third parties should be able to complain to the Legal Ombudsman and obtain a remedy for the harm they suffer. This is because:

- Ombudsman schemes in lots of other sectors already consider third party complaints (we note the CMA's reference to the Scottish Legal Complaints Commission).
- It would not give consumers new legal rights, but simply mean people could use the Legal Ombudsman to obtain redress instead of going to court.
- The current situation is confusing because sometimes consumers are not treated as the lawyer's client even though the legal work is intended to benefit them. For example, in a re-mortgaging, the lender, not the homeowner, is technically the client.
- Without this right, lawyers have a weakened incentive to act fairly towards third parties.
- Lawyers will carry on making the same mistakes because there is not the opportunity for them or regulators to learn from complaints to raise standards.

**Question 12: Would such measures above be sufficient to deliver effective change that can promote competition and optimise consumer outcomes in the longer term?**

The measures outlined would improve consumer outcomes but are unlikely to deliver lasting and effective change by themselves. The Panel is still of the view that primary legislation is necessary to bring about lasting and resilient change.

**Question 13: To what extent is there merit in extending the regulatory framework to include unauthorised providers? What evidence is there of consumer detriment from unregulated providers, or other rationale, to warrant this?**

In responding to Stephen Mayson's Interim Report, the Panel expressed the following which remains our view:

*"The Panel agrees with the proposition that all providers of legal services could be within the scope of regulation to varying degrees. It is important to stress 'varying degree' as we are not convinced that full regulation needs to apply to all providers of legal services."*

LSCP response to the Stephen Mayson's Interim Report, December 2019.

The Panel agrees that the model of using 'before, during and after the event' regulation to reflect the significance of the activity, or indeed circumstance, can lead to improved and targeted consumer protection. The Panel further agrees that any new framework should be future proof. We therefore support the proposal to ensure that application of new and developing technology to legal services is captured within the ambit of regulation. Regulation must be flexible and agile enough to respond to the needs of consumers, as well as to other aspects of a developing and changing market.

In our view, it is not so much a question of extending the current framework to the unregulated sector, but rather, ensuring that there is consumer protection to varying degrees depending on the risk the service poses. As such, evidence of detriment by the unregulated market is not the main issue to consider, rather, there must be a thorough assessment of the risk that consumers face in using a particular service without certain protections. The regulatory burden needs to be balanced and proportionate but should relate directly to the inherent risk of the type of service, not the title of the service provider.

**Question 14: We recommended a review of the independence of regulators both from the profession and from government, to the MoJ in the CMA market study. Is that review still merited, taking into account, for example, the work that has been undertaken by the LSB on IGRs and the arguments put forward by the IRLSR?**

The Panel is of the view that there are more pressing priorities than such a review, particularly given the progress that the LSB has made with Internal Governance Rules in this area. We are of the view that an assessment of the effectiveness of the Legal Choices website and its future, and the widening of the Legal Ombudsman scope is more pressing.

**Question 15: What work has been undertaken by regulators to reduce the regulatory burden on providers of legal services for individual consumers and small businesses? What impact has this had?**

The SRA has abolished rules prohibiting solicitors from owning separate businesses. More recently, it has paved the way for solicitors to work in unregulated firms and launched an innovation hub. The LSB said it wanted to promote more innovation hubs, and it has signalled its commitment to increasing market flexibility by approving potentially contentious rule change applications, such as permitting the SRA to allow solicitors to work in unregulated firms.

We are uncertain about the impact these changes have had because impact assessment and evaluation of policy implementation continues to be a weakness in the sector.

**Question 16: What impact has the removal of restrictions to allow solicitors to practise in unauthorised firms had on the availability of lower cost options in the sector?**

We await a thorough review of this policy. We had concerns around the lowering of consumer protection in this area and made a strong case for monitoring and evaluating this policy to both the SRA and the LSB. We are yet to see the evaluation or a timeline for the evaluation.

We would be very happy to meet and discuss any aspect of this response in further detail. Please contact [REDACTED] [REDACTED] for further queries at [REDACTED].

Yours sincerely

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Legal Services Consumer Panel