

CMA review of the implementation and impact of the recommendations of its 2016 market study into legal services in England and Wales

Call for inputs (CFI) - Supplementary questions for regulators

Transparency: questions supplementing Q1-Q3 of the CFI

- 1) How satisfactory has progress on transparency been to date?
- 2) What are the challenges faced in setting and enforcing transparency rules or guidance?
 - a) What are the key learnings from the initial implementation and monitoring of transparency rules or guidance?
- 3) What more could frontline regulators do to drive increased transparency?
 - a) What further work is being planned?
 - b) Are there any plans to review or change the rules or guidance in place?

Where transparency rules have been put in place:

- 4) Is there sufficient enforcement of the transparency rules by frontline regulators?
 - a) What levels of compliance have been observed? What do you consider to be the main drivers for non-compliance to date?
 - b) What steps are taken to enforce compliance with transparency rules?
 - c) What key factors have driven the enforcement strategy to date? Are changes planned for future enforcement?

Where guidance has been provided in place of transparency rules:

- 5) Are frontline regulators sufficiently incentivising compliance with the guidance?
 - a) What levels of compliance have been observed? What do you consider to be the main drivers for non-compliance to date?
 - b) What steps are taken to encourage compliance with the guidance?
 - c) What steps have been taken to evaluate the effectiveness of the guidance approach? Are changes planned in future, eg a move from guidance to rules?
- 6) If possible, to illustrate your responses to the questions in the CFI on transparency please provide examples of good and bad implementation of transparency of price/service/quality/redress/regulatory status by providers.

Legal Choices: question supplementing Q4 of the CFI

- 7) What are your views on the future of the Legal Choices website?
 - a) What key challenges has this faced to date?
 - b) What funding and governance arrangements are most appropriate going forwards?

Quality indicators: question supplementing Q5 of the CFI

- 8) What further analysis would be most helpful to develop an understanding of what type of quality indicators consumers find useful? What are the main barriers to the successful implementation of quality indicators?

DCTs: questions supplementing Q6 of the CFI

- 9) Is there more that regulators could do to encourage the development of DCTs?
- 10) To what extent are providers engaging with DCTs?
 - a) Has this improved since the market study and if not, why not?

The regulatory framework: questions supplementing Q11-Q13 of the CFI

- 11) What are the main options for short-term regulatory reform that requires no, or limited, legislative amendment?
 - a) What are the key advantages and disadvantages of each?
 - b) What issues would remain without longer term reform?
- 12) What are your views on the options for extending redress to customers of unauthorised providers, such as extending access to LeO, or industry run 'kite schemes' requiring that providers direct consumers to ADR schemes?
- 13) What are the key emerging regulatory challenges, for example with respect to lawtech?
 - a) To what extent can these be addressed under the existing regulatory framework?
- 14) What evidence is available on the experiences of consumers of unauthorised providers?

Question supplementing Q14 of the CFI

15) Is there any more work that can be done within the existing regulatory framework to strengthen regulatory independence?

Question supplementing Q15 of the CFI

16) Are there remaining areas where there is scope to significantly reduce regulatory costs?

a) If so, what plans are in place to tackle these?