



Law Society Council meeting summary: 13 - 14 July 2016

Council's July meeting saw a busy programme of reports and papers. It lasted one-and-a-half days, and, in line with tradition, was followed by the Annual General Meeting of the Law Society, at which Robert Bourns took office as President, Joe Egan as Vice President, and Christina Blacklaws as Deputy Vice President. Jonathan Smithers stood down as President, and gave a comprehensive report on his many activities, particularly in relation to the rule of law, access to justice, technology and the law, and business and human rights.

One major decision taken by Council was to set the level of the Net Funding Requirement (NFR) - effectively, the amount to be recovered from the profession which funds the SRA and the Law Society, as well as the Legal Ombudsman and the Legal Services Board. Council was pleased to be able to agree a Practising Certificate fee for individuals of £290, £30 lower than in 2015-16. Overall levels of fees paid by law firms have also reduced. Another topic discussed at Council was the ongoing review of the governance of the Law Society, to which we have welcomed contributions from those who have responded to our dedicated email address, and on which further development work will be happening over the summer.

Promoting the profession - market and regulatory change

There has been a lot going on in the wider environment, including the succession of Theresa May MP as Prime Minister, and Liz Truss MP as Lord Chancellor (the first woman to hold this office). Brexit will obviously be a major issue for the Law Society and the profession as a whole over the coming months. Council heard of plans to support members during this time of unprecedented change to ensure that England and Wales remains a centre of excellence and jurisdiction of choice. The Law Society has offered expertise to government through our expert committees and our access to networks across the EU and globally. A staff task force, alongside a task and finish group of elected and appointed members and other experts, will work on these issues.

The Chief Executive reported that she gave evidence to the Justice Select Committee on regulation of the legal services sector, alongside Paul Philip and representatives of the Bar Council and Bar Standards Board. The Law Society welcomed the conclusion of the Competition and Markets Authority study on the supply of legal services that a full market investigation was not required, though recommendations on a number of matters - including regulation, transparency of pricing, and service quality - would have an impact on the profession. It was noted that there was still no date fixed for the issue of the consultation on separating legal regulators from their professional bodies. The Chief Executive also commented on the SRA's consultation on a new handbook and accounts rules. She noted that the proposals raise significant issues about the protection of buyers of legal services: solicitors employed by unregulated entities who provide advice to the public may not be able to provide advice that is legally privileged, will not be subject to the same conflict rules and will not be required to have Professional Indemnity Insurance or be able to hold client monies. This risks creating in effect a 'two-tier' profession which has potentially serious implications, and the Law Society is engaging with members across the country to seek views to inform our response to the consultation.

Representing and supporting the profession

The Chief Executive updated Council on the various ways in which we are engaging with and seeking to influence key decision makers on the Brexit agenda, including building on many contacts made as a result of the Law Society's EU report and economic analysis.

Council was reminded of the ongoing work to ensure that threats to legal professional privilege are robustly countered, particularly in the Investigatory Powers Bill. It was updated on the work the Law Society is doing, together with others, in response to the proposed reforms to the treatment of clinical negligence and personal injury claims; this has included targeted contacts with MPs and peers. Council also heard about the Society's influence in raising concerns about the proposed privatisation of the Land Registry.

The Chief Executive reported on a wide range of activity and events. These included the in-house division conference and a well-attended GC350 event, several roundtables and consultation meetings on proposed *pro bono* initiatives, and a recent conference on technology in law: 'Robots and Lawyers - Partnership of the Future'. The recent re-launch of the updated Clinical Negligence Accreditation was also noted.

Equality, Diversity and Inclusion

The Chair of the Equality, Diversity and Inclusion Committee presented the committee's annual report to Council. Among other things, this drew attention to the Diversity and Inclusion Charter to which 462 law firms are now signed up; a range of events engaging with members including speed networking and tailored forums for City firms; and the Diversity Access Scheme which gives financial support to talented LPC students who would otherwise be unable to continue their studies.