



## **Law Society Council meeting summary: 30 March 2016**

Council's second meeting of the 2016 calendar year saw a busy programme of reports and papers. Among these, Council was updated on progress on the review of the governance of the Law Society. The independent lead, Nicola Nicholls, has conducted a number of meetings with Council members and a range of external stakeholders, as well as a programme of research with other comparable organisations. Nicola shared ideas for ensuring that the Law Society's governance remains fit for purpose and supports the organisation in delivering its strategy. Further updates will be provided as more detailed proposals are worked up. Of course, a lot is going on in the external environment which impacts directly on the Law Society and our members and this was the main focus of the Council meeting.

### **Promoting the profession - market and regulatory change**

Following HM Treasury's publication of 'A Better Deal: boosting competition to bring down bills for families and firms', Council heard of the corporate priority to ready the Society to respond to any consultation on the future revised regulatory framework for the profession. Activity is ongoing so as to inform the debate effectively. In discussion, there was broad consensus among Council that, to support and protect the public, regulation of legal services should be simpler and better, and that the legal profession should continue to be, and be seen to be, independent of the state. This would involve regulation setting and enforcing the minimum regulatory rules consistently so that the buyers of legal services are protected. It would also involve the solicitor profession taking responsibility for professional standards, entry into the profession, and awarding the professional title of solicitor. Council noted that further work was being done on how various possible models would work in practice and looked forward to further debate in due course.

Council heard about the Society's submission to the Competition and Markets Authority (CMA) study on the supply of legal services in England and Wales, which can be found here:

<http://www.lawsociety.org.uk/news/press-releases/law-society-response-to-scope-of-cma-study-into-the-legal-services-sector/>. Close liaison has continued between the Law Society and the CMA including using the Society to facilitate engagement with members of the profession at large.

Council also noted the publication, shortly before Easter, of the Law Society's report into the wider economic value of legal services.

### **Representing the profession - legal updates**

Council noted the work that is being done, with the Bar, the Ministry of Justice (MoJ) and the Legal Aid Agency (LAA) to update the criminal crown court fee schemes for litigators and advocates, with working groups including members of the Law Society Access to Justice and Criminal Law Committees.

The CEO took the opportunity to remind Council that, although the inclusion of legal professional privilege on the face of the Investigatory Powers Bill was a pleasing success, work was continuing in association with the Bar on a number of outstanding concerns.

Council also heard about continuing work on civil legal aid, in particular working with the Bach Review of Legal Aid to emphasise our long-standing position, calling for the restoration of legal aid where its removal has had the most significant impact on disadvantaged groups. On civil courts structure, Council noted that we have submitted a response to the interim Briggs report calling for the profession to be actively involved in the development of the proposed on-line court.

### **Supporting the profession - engagement and other activity**

The CEO reported on a wide range of activity and events. This included oral evidence given by the President on court fees before the Justice Select Committee, and a meeting between the President and Vice President and the EU Justice Commissioner, as well as a meeting with the President and the Lord Chancellor on legal regulation. The President's report drew attention to a number of visits to local law societies to support the profession's work on business and human rights. In line with his presidential plan, he also highlighted work to support the role of solicitors in undertaking property transactions, and thought leadership on technology and law.

### **Presidential Plan 2016-17**

More detail will follow but members will be interested to know that Council was warmly supportive of Robert Bourns' plan for his forthcoming year as President which starts in July, focusing on a programme of work to connect further with members in England and Wales to identify best practice and bring members together, promoting pride in the profession, access to justice for all, and access to the profession for the best candidates regardless of social background.