



Law Society Council meeting summary: 8 February 2017

Council met on 8 February for its first meeting of the calendar year, and welcomed Richard Atkinson (Kent), Jonathan Frayling (West Country and Gwent), Sham Gupta (Ethnic Minorities) and Claire Logan (Cumbria and Lancaster) to their first meeting as Council members. Council also welcomed Paul Tennant as interim chief executive following the resignation of Catherine Dixon announced in January.

Governance

In December, the President had set out initial thinking as to next steps in the review focusing on the role and shape of Council, using input both from Council members and from other members of the profession. He reported in February that his working group had met twice so far this year, with another meeting planned later in the month in advance of the March Council meeting. We remain keen to hear the views of the wider profession, and the e-mail address: representation@lawsociety.org.uk remains open for your thoughts. Members may also be interested to know that Council was briefed on the initiatives the Law Society is taking to ensure that those who serve on Council, boards and committees have access to the information they need to do their job and to ensure that meetings at the Law Society run as effectively and efficiently as possible.

Promoting the profession - market and regulatory change

Council noted that the Competition and Markets Authority (CMA) published its study into the supply of legal services in England and Wales in December 2016. While stopping short of suggesting a full market investigation, CMA concluded that the market is not working well for individual consumers and small businesses, and made a number of recommendations about improving transparency and provision of information. The Law Society responded by emphasising the importance of consumer protection and highlighting the steps the profession has already taken on transparency.

Council noted the SRA's discussion paper on regulatory data and consumer choice in legal services, which echoes recent calls by the CMA and the Legal Services Consumers Panel to improve the information about legal services available to consumers. The Law Society's response, now published, emphasises the desirability of providing consumer with transparent information about the legal services market in general and about specific services, while stressing the need for information to be accurate, relevant, and accessible.

It was reported that the Tax Law Committee of the Law Society continues in discussions with HMRC about how proposals in the draft Finance bill on tax avoidance and penalties for advisers can be implemented without unacceptable business risk for firms, and ensuring that any requirements on lawyers to declare information about their clients do not breach legal professional privilege.

Representing and supporting the profession

Council was updated on our continuing engagement with government and others on Brexit. The President has met a number of key influencers including Keir Starmer MP, shadow Brexit Secretary. The Law Society has submitted evidence to the Exiting the EU Committee, the International Trade Committee, and the House of Lords EU Justice Sub-Committee. Work on the global legal centre campaign has also continued with the development of key messages about the clarity, transparency and flexibility of the law of England and Wales.

Council heard about the Law Society's response to a MoJ consultation, submitted on 6 January 2017, which highlighted the implications for claimants' ability to get legal representation for often complex claims including employer liability and lower value clinical negligence matters.

Council noted the publication of the Law Society's price and transparency toolkit, bringing together information and resources to help our members provide the best possible cost and service information to clients.

Council heard that, in response to the Business, Energy and Industrial Strategy (BEIS) Committee's call for evidence on the future world of work and workers' rights, the Law Society raised a number of issues including the insufficient current legal definition of employment status, and the need for reform of employment tribunal fees.

Council had updates on preparations for the Presidents' and Secretaries' Conference due to be held on 5 and 6 May 2017, and on the Excellence Awards for which two new categories were to be added - excellence in law management, and excellence in conveyancing practice.

Human Rights Week, hosted by the Law Society from 5 to 8 December 2016, celebrated the contribution of the legal profession in England and Wales and across the world in promoting human rights and upholding the rule of law. Six events were held, including a seminar on lawyers at risk, and a panel discussion on the Modern Slavery Act, attracting over 250 people.