

## **Report from Law Society Council Member – Lubna Shuja**

### **Update from Law Society Council Meeting on 10 February 2016**

I attended the Law Society Council meeting on 10 February 2016 in my capacity as Council Member representing sole practitioners. I attach below a summary of the key issues raised and decisions made by the Council during that meeting. If you would like any further information, or wish to discuss any issues affecting sole practitioners, or you would like me to raise any matters with the Law Society, please do not hesitate to contact me on [info@legalswan.com](mailto:info@legalswan.com) or on 0121 551 7866.

#### **Review on Governance of the Law Society**

Council was updated on early progress on the review of the governance of the Law Society. The independent lead, Dr Nicola Nicholls LVO, had conducted a number of one-to-one meetings with Council members and others. A preparatory meeting of the governance review working group had been held, and several streams of research and other work were under way. Council agreed that the review would help ensure that the Law Society was able to deliver its strategy, representing, promoting and supporting the profession effectively, and to respond in a flexible and agile way to changes in the external environment.

#### **Promoting the Profession - Market and Regulatory Change**

Council heard that the Law Society had launched, at the end of January, a report on the future of legal services, identifying the drivers for change in the market. The Law Society will be engaging actively with the Competition and Markets Authority on its study of the supply of legal services in England and Wales, which is looking particularly at whether customers can drive effective competition by the nature of their buying decisions, whether they are well protected if things go wrong, and how regulation impacts on competition for the supply of services. The Law Society's view is that it is not equitable for solicitors to be disadvantaged by burdensome regulation while unregulated competitors provide services without the same levels of protection for the public.

Council also noted that HM Treasury's policy paper which trailed a forthcoming consultation by the Ministry of Justice on the separation of the representative bodies from the regulatory bodies in legal services provides another opportunity to ensure the Law Society is well able to support the profession and its clients. The Law Society's view is that regulation of legal services needs to be simpler, with the regulator setting minimum rules so that consumers are protected when they buy legal services from any provider, and that the legal profession must remain independent of the State and should take responsibility for professional standards.

#### **Representing the Profession - Legal Updates**

Council noted that the Law Society is currently developing proposals for a response to the possible introduction of fixed fees in some clinical negligence cases - entailing a measure of front-loading to strengthen the triaging of claims and improve the prospects of early settlement while ensuring that access to justice is maintained.

Council discussed the importance of continuing in its strong efforts to secure clear statutory protection of legal professional privilege in the Investigatory Powers Bill. While it was acknowledged that, even if not directly mentioned, the concept would remain, explicit statutory provision was seen as affording key protection against possible future erosion of legal professional privilege.

It was noted that the Law Society has responded to 25 consultations since the last report, and continues to engage actively with the SRA consultation on legal education and training.

#### **Supporting the Profession - Engagement and Other Activity**

The CEO reported on a wide range of activity and events. Within the profession, the Law Society's Relationship Management team has been meeting with in-house lawyers, an increasingly important sector of our membership. My Law Society, which allows members' website experience to be tailored to their interests, is now live. From an international perspective, the Law Society hosted an event to mark the EU ratification of the Choice of Courts Convention, an important mechanism for promoting international trade and investment. It was also noted that, following the launch of the Law Society's business plan in October, robust internal monitoring mechanisms had been developed. The Chair of

the SRA Board (Enid Rowlands, the first lay chair) and the SRA Chief Executive (Paul Philip) attended to present their annual report to Council, mentioning for example a number of areas where the SRA was taking action to improve operational effectiveness.

### **Equality, Diversity and Inclusion**

Council discussed the Law Society's equality and diversity framework 2016-2019, which provides the strategic direction for the Society's work in this area, and was pleased to note its close alignment to the Society's business plan. Priorities will include the Diversity and Inclusion Charter, by which we promote diversity and inclusion within the profession; work with a range of groups to improve career progression for currently under-represented groups; work to facilitate solicitor access to the judicial appointments process; rolling out equality impact assessment across all the Society's functions; and a number of measures to sustain and improve internal Law Society practice.

### **Chief Executive Officer's Report**

A copy of the Law Society's CEO Report dated 19 January 2016 is also attached.

### **Lubna Shuja**

SPG Law Society Council Member  
February 2016