



Classification: Public
Purpose: For noting

REPORT OF THE CHIEF EXECUTIVE OF THE LAW SOCIETY – PART 1

The issues

This edition covers the period 18 May 2016 – 28 June 2016 and provides:

- A summary of current key part 1 issues;
- Appendix 1 Key activities being undertaken by the communication and public affairs teams;
- Appendix 2 Key activities being undertaken by Membership services ;
- Appendix 3 Consultation responses ;
- Appendix 4 Litigation update; and
- Appendix 5 Media coverage and recent press articles.

Remit

The Chief Executive is responsible for the delivery of the Law Society's strategy.

Statement of territorial application

This paper applies to England and Wales

Our vision

We want to be valued and trusted as a vital partner to represent, promote and support solicitors while upholding the rule of the law, legal independence, ethical values, and the principle of justice for all.

Financial, section 51 and resourcing implications

There are no financial implications.

Consultation with Finance

This report has not been sent to Finance to review.

Equality and Diversity implications

Equality and diversity issues, where appropriate, have been highlighted in the relevant Directorate reports.

This report has been prepared for Council.

CEO: Catherine Dixon
Author: Catherine Dixon
Date of report: 28 June 2016

Executive Summary

I set out below an executive summary of key issues facing the Law Society at the time of writing.

This report includes the following Appendices:

- A summary of current key part 1 issues;
- Appendix 1 Key activities being undertaken by the communication and public affairs teams;
- Appendix 2 Key activities being undertaken by Membership services ;
- Appendix 3 Consultation responses ;
- Appendix 4 Litigation update; and
- Appendix 5 Media coverage and recent press articles.

CEO Key activities

1. Brexit

Following the decision of the UK electorate to leave the European Union and the resignation of the Prime Minister we understand that politically the next steps will be:

- The Conservative Party will elect a new leader over the next three months with a handover scheduled for the Conservative party conference in October
- Article 50 (the clause to negotiate exit from the European Union) to be activated under the new Prime Minister and Conservative party leadership
- Following public statements from all of the Conservative party leadership candidates, we do not expect another general election at this time. However, political pressure to call an election could force a new Prime Minister to reconsider.

We issued a press release on the morning of the referendum announcement. It reiterated our key lines that there will be no changes to rights and obligations in the short term, and we will be working to support members during this time to ensure that England and Wales remains a legal centre of excellence and the jurisdiction of choice.

We have also taken the following actions:

Influencing decision makers

We have written to the Lord Chancellor, other ministers across government, and senior officials offering TLS's expertise through expert committees and access to our networks across the EU and globally.

We know that Cabinet Office minister Oliver Letwin MP and senior civil servant, Oliver Robbins, have set up a task force within government so we have contacted them to offer legal support too. Oliver Letwin has responded positively and we are in the process of arranging a meeting.

When I gave evidence in Parliament to the Justice Select Committee, I raised the implications of Brexit for the legal sector with the MPs there, many of whom have a legal background. I know that a number of them will be taking my comments back to their respective parties.

We used our EU report and economic analysis to engage with a number of key stakeholders at No. 10, HM Treasury, BIS, the Greater London Authority and other organisations. We are now using the opportunity to revisit this contact and offer access to our expert legal advice, both within TLS, and our wider network.

Gathering feedback from members

- We are setting up a series of round tables around the country to engage with our members on this and other issues including the SRA consultations.
- We are meeting with City partners this week to discuss the impact on their businesses and any contingency planning that has taken place. I spoke at the City of London Law Society on the subject of Brexit last week.
- We are in touch with the Law Society of Scotland and the Law Society of Northern Ireland and will take a united approach where we can.
- Our Brussels team has been in touch with Bars across Europe - as have I with the relevant Bar CEOs.
- We have been in touch with CityUK and the Bar and will be working with them as appropriate.

Communication and support to members and the public

We have reached out to the Law Society of Ireland and received confirmation that reciprocal rights arrangements will remain in place around registering to practise in Ireland if qualified in England and Wales.

We now have a section of the website dedicated to Brexit – we will use this to post press releases, briefings and thought pieces as they are produced as well as other supportive materials for the profession. This can be found here: <http://www.lawsociety.org.uk/support-services/brexit-and-the-legal-sector/>

We published our press statements and core briefings in the latest issue of Professional Update. Key lines to take and messages have also been shared with member-facing colleagues such as the relationship management team so they can answer questions and report back on any common themes as necessary.

Our practice advice service and contact centre have been briefed to answer the main concerns that members or the general public might have about the immediate impact of Brexit on common areas like immigration, employment or contract law. We will be monitoring activity on these help lines to help us build a picture of what information is required so we can produce specific briefings to meet that need.

I will be writing to the following members to open lines of communication directly with them:

- Registered European Lawyers established in England and Wales;
- England and Wales solicitors established in the EU, the European Economic Area (which includes Norway, Iceland and Liechtenstein) as well as Switzerland, as the EU lawyers' directives apply to all these jurisdictions; and
- UK-based Competition Section members, as many of them are likely to be (or have colleagues) involved in EU competition and regulatory proceedings and are therefore concerned with the loss of standing and legal professional privilege in front of the EU courts

Next steps

I am establishing a staff task force to work on this issue - which will be working with elected and appointed members. Our expert committees are providing expert guidance and advice on specific areas, which we will feed into our engagement with stakeholders and also use to continue to brief and engage with the profession. The work of the committees will be coordinated through the LAPB and as appropriate an expert task and finish group will be established.

I am grateful to Council members for the many good ideas for further engagement and coordination that we have received. We will use these as a basis for pulling together a more structured influencing and engagement plan. This will focus on:

- Securing the best deal for the legal profession under any terms for withdrawal
- Building capacity and brokering expert legal advice to government on the key areas that will be affected by withdrawal on the EU
- Helping members to support their clients through the potential uncertainty that may last for a number of months, and possibly years

We will be engaging with the new Prime Minister and their team as soon as the individual has been announced to ensure that we are in the best position to support and influence future policy in this area.

We will also begin re-launching our core EU materials, in particular focusing on producing a range of short briefings that can be easily shared with a wide range of audiences.

The Gazette will be engaging with members from across the country to gather views and assess the impact on different parts of the sector.

2. Separation – legal services regulation

On Tuesday 28 June I gave evidence to the Justice Select Committee about regulation of the legal services sector alongside Chantal-Aimée Doerries QC, Chairman of the Bar Council, Paul Philip, Chief Executive, Solicitors Regulation Authority and Dr Vanessa Davies, Director General, Bar Standards Board. This was a scheduled session to allow MPs to get more information about legal services regulation and hear our perspective. The key issues arising from the session were:

- Current regulatory settlement including the role of Legal Services Board
- Alternative Business Structures
- Standing of England and Wales as jurisdiction of choice
- Regulator shopping
- Separation of professional bodies and regulators
- Access to justice
- Unbundling
- Use of the title lawyer
- Online courts
- McKenzie friends
- Standards of the profession
- CMA review
- Future of Legal Services

I also took the opportunity to confirm that the Law Society and the solicitor profession is ready to help tackle issues arising from Brexit by supporting clients and the public during this time of unprecedented change. However, withdrawal from the EU will be legally complex and there are significant implications for the legal profession.

No date has been set for the issuing of the consultation on separation.

3. SRA Consultation on a new Handbook and Accounts Rules

On 1 June, the SRA launched the first phase of its review of the Handbook, and the final phase of its review of the Accounts Rules. The key proposals are:

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- A future regulatory model with two distinct strands:
 - regulating individuals to use the "solicitor" title. This area of regulation is about education and entry standards, and ongoing competence and ethical behaviours;
 - regulating firms entitled to deliver reserved legal activities. This is about systems of control in the firm and the availability of additional consumer protections - including professional indemnity insurance (PII) arrangements and access to the Compensation Fund.
- Revised Principles and
 - a separate new Code of Conduct for Solicitors; and
 - a new Code of Conduct for Firms.
- Relaxing the practice framework rules (PFRs) to allow solicitors to provide unreserved activities through unregulated providers while continuing to retain title restrictions. This will allow:
 - unregulated providers to employ solicitors to provide services to the public;
 - firms to hive off their unreserved work to unregulated entities;
 - solicitors in in-house teams to provide legal services to the public.

However, the consultations raise significant issues with regard to the continued consistent protection for buyers of legal services. Solicitors who provide legal advice to the public employed by unregulated entities will not be able to provide advice which is legally privileged. Neither will they be subject to the same conflict rules, be able to hold client monies, or have professional indemnity insurance or access to the compensation fund.

This could therefore result in a two-tiered profession were different regulatory rules and requirements apply depending on whether a solicitor is working in a regulated or unregulated entity. This could result in the professional title of solicitor being devalued and the public being confused as to what level of protection applies when they instruct a solicitor.

As this is such a significant issue for the profession, we are engaging across the country to seek views which will inform our response to the consultation.

4. Competition & Markets Authority Study on the supply of Legal Services in England and Wales

On 26 May, we met CMA officers at their request to hear their preliminary findings and emerging proposals; the proposals were fairly high level as the CMA were keen to gauge reactions from us and, through separate stakeholder engagement meetings, SRA and the other regulators and the LSB.

In light of these meetings, CMA will finalise and publish their findings and proposals in an interim report to be published on 13th July.

5. Investigatory Powers Bill

Ahead of Second Reading in the House of Lords, we have agreed draft principles for amendments to the Bill to protect LPP with the law societies of Scotland and Northern Ireland, the Bar Council (and its Scottish and Northern Ireland equivalents - the Faculty of Advocates and the Bar Council of Northern Ireland), CILEX, Liberty and Justice.

The document has been sent to peers and we have had meetings with several. At the time of writing, there is a long list of speakers for Second Reading on Monday, including David Pannick and Lord Lester. In parallel with continuing meetings and engagement with key influencers, we and the Bar are working on amendments in parallel; we aim to have these ready in the week beginning 27 June.

I attended a roundtable with the Advocate General for Scotland, Lord Keen of Elie, on Wednesday 29 June. The roundtable, also attended by the Bar Council, the Law Society of Scotland, the Faculty of Advocates, and Home Office civil servants, was an opportunity to discuss the main areas of concern that we would like the Government to address to ensure that LPP is adequately protected. On the same day, I met Lord Mackay who had requested a meeting to hear about our concerns about LPP in more detail.

The LPP working group last met on Thursday 30 June where we discussed the timeline for finalising a draft for the practice note on legal professional privilege with a view to publish it for comments over the next few weeks. We will be hosting a series of roundtables to discuss and promote the practice note with key stakeholders including the FCA. A communications plan is also being drawn up.

6. Personal injury and clinical negligence reforms

The Government has not published its long-awaited consultations on its various proposals in this area, including:

- increasing the small claims limit in personal injury cases and removing general damages for soft tissue injuries;
- removing the recoverability of after the event insurance in clinical negligence cases;
- introducing fixed recoverable costs for some clinical negligence claims.

We are continuing to work closely with other organisations, including:

- on personal injury, the Association of Personal Injury Lawyers (APIL), the Society of Clinical Injury Lawyers and Action against Medical Accidents; and
- on clinical negligence, APIL and the Motor Accident Solicitors Society with whom we have been developing a scheme for fixed costs for claims up to £25,000, in line with the Society's response to the Government's pre-consultation last Summer. We are also meeting soon with the Federation of Injury Lawyers, the Medical Defence Union and the Medical Protection Society.

In advance of the consultations, I have written to Lord Faulks, setting out alternatives to the Government's personal injury proposals, including measures that insurers could take to tackle fraud. I have also written to Ben Gummer, asking for the implementation date for the expected new fixed costs scheme for clinical negligence cases to be set at 18 months after decisions on the detail of the scheme.

7. Access to Justice Campaign

We will shortly be launching an Access to Justice Campaign, with an overall goal of improving access to justice in England and Wales. This will be delivered by means of a series of sub-campaigns on specific issues.

The first sub-campaign will be on advice deserts. This comes on the back of data emerging from the Legal Aid Agency showing that in one third of the LAA's procurement areas (generally counties outside the big cities and boroughs within them), there is only one housing provider, and in three there are none at all. We will be seeking to persuade the MoJ to review the economic sustainability of civil legal aid, and to address issues of sustainability in the design of the tendering process and contracts for the next round of civil legal aid contracting.

Work is continuing on our report on "LASPO Three Years On", which will be an important tool within the Access to Justice Campaign. We expect this to be ready to publish in September, although the actual launch date will be based on a judgment as to when it will have maximum impact.

Subsequent sub-campaigns being considered would be on the need for early advice, and the position of children and young people. We are continuing to monitor developments in respect of the Government's proposals on personal injury and clinical negligence, so that if and when they require a campaigning

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approach, work plans can be developed for them. We are also considering how pro bono might fit into the messaging within the campaigns.

8. Land Registry privatisation

Earlier this year, the Government published a consultation proposing to move Land Registry operations into the private sector. In June, we published our response, stating that it would be difficult to impose sufficient safeguards in relation to corruption and transparency and the provision of state guarantees and identifying potential competition issues with respect to what would be the creation of a private monopoly. We briefed MPs for a debate in the Commons on 30 June; the Society's position was referenced numerous times and, in responding, the Minister noted that there had been 30,000 responses, the majority of which appear likely to have been negative; he also said the Government understood the nature of the debate and was mindful of their small majority.

9. Contingency legal aid fund (CLAF)

The second meeting of the working group with the Bar and CILEx was held on 27th June. The group is seeking to identify the most promising areas where a CLAF might have a role to play. If the group concludes that there are no areas that appear sufficiently promising, it will report accordingly. If areas are identified where a CLAF could have a useful role, the group will undertake further work to establish whether an economically viable model can be set up.

10. Pro-bono

We have held roundtables and consultation meetings in London, Cardiff and Birmingham on proposed pro bono initiatives. We have been working with the Civil Justice Council and Local Law Societies to ensure that our pro bono projects complement and support the work of our members throughout England & Wales.

In June, Membership Board approved the continued development of a Pro Bono Manual and a Pro Bono Charter, which will help provide leadership and guidance to firms who carry out pro bono work for clients who are unable to access legal support. The projects are due to launch in National Pro Bono Week 2016 (7-11 November).

Additionally, the Law Society will be meeting with members of the CLLS, the Civil Justice Council, the advise sector and other stakeholders, at a roundtable in July to discuss a profession wide pro bono strategy within the current political and legal context.

11. Legal Education and Training

We are continuing to work on the new 'Professional Development Centre' online platform via which we will deliver online training from the autumn. The new platform will deliver improved functionality and we are also taking the opportunity to review our overall portfolio of online training, removing old material and making content easier to navigate for solicitors seeking to structure their professional development in line with the new continuing competency framework.

We are also in conversation with a range of content providers in order to broaden the range of education and training content available via the Professional Development Centre, with early areas of focus including advocacy training and Business and Management development.

12. Socrates Training Limited

Socrates has issued a claim against the Society in the Competition Appeal Tribunal for damages due to loss of opportunity. The claim relates to the provision of AML training as part of the CQS scheme. The Society has filed its defence and a first case management conference was held on 16 May when the

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Tribunal allocated the case to the fast track and set directions for further steps. A second case management conference was held on 21 June when the Tribunal set cost caps and determined outstanding issues relating to the parties' disclosure obligations. The parties will file disclosure and witness statements by 22 July. The trial is scheduled for 7 November.

13. AIG Europe v OC320301 LLP & Others

On 12 May AIG made an application to the Supreme Court for permission to appeal against the Court of Appeal's decision relating to the interpretation of the aggregation clause in the Law Society Minimum Terms and Conditions of Professional Indemnity Insurance. The SRA are awaiting the Supreme Court's decision on the application for permission to appeal before they make any decision on intervention.

14. People Strategy

Job Family Framework Project

The inaugural project group (representatives from both TLS and Korn Ferry Hay Group in attendance) met on 25 May 2016. The approach and skeleton plan was agreed by Senior Management Team on 31 May and Management Board on 8 June.

The aim is to have a Framework developed and ready for implementation for end of year performance and development reviews to ensure that line managers are having knowledgeable discussions with staff about the Framework, how their role/work fits and what development opportunities/career paths are open to them as a result.

Learning and Development Approach

The Learning and Development approach that TLS are adopting has been informed by diagnostics (in particular Investors in People), external best practice and feedback from Learning at Work Week (LAAW).

Going forward, the L&D proposition will move away from the traditional classroom based learning approach and look to deliver different ways of having staff and managers learning together. In all the programmes that the organisation is now looking to develop and implement, the focus is very much on learning through experience and social learning, what is described as the 70:20:10 framework.

15. Governance Review

On 18 May, Council had a wide-ranging discussion 'in committee' of the governance review working group's paper making proposals for reform. Following this, Council asked the group to undertake further work. That work has been ongoing and a further report from the group appears as a separate item on the agenda for Council at this meeting. We have publicised the opportunity for local law societies and other members of the profession to contribute views via a dedicated email address, and comments received have been fed into the group's thinking.

16. Research and Insight

There were 1,095 unique downloads of research reports in May 2016 (up 10% on the same period in 2015) and 4,551 unique page views (up 142% on 2015).

The GC Benchmarking report received press coverage in the Gazette and Global Legal Post.

17. Accreditation Schemes

Clinical Negligence Accreditation

Following 18 months of consultation, the updated accreditation was launched on 3 June. All accredited members were emailed about the re-launch and the changes have been well received overall.

Changes have been made to ensure that the accreditation remains a robust quality mark providing clients with the confidence that their case is being managed by a solicitor with the necessary experience and skill:

- There is more emphasis on proof of competence and managing the triage process within a clinical negligence caseload.
- The application process now includes evidence of knowledge and experience of all stages in casework leading up to trial, and the approach taken to case handling.
- Candidates are asked to evidence their experience against the desired competencies in their application, both at initial accreditation and at re-accreditation. Where appropriate, candidates will be required to attend a face-to-face interview.

Appendix 1

Key activities being undertaken by the communications and public affairs team

1. The Law Society's strategy and business plan in 2015-16

The new strategy and business plan set out how we will deliver the Society's vision of representing, promoting and supporting solicitors in 2016 and beyond. A large part of this work will focus on actively campaigning on issues of importance to our members. In pursuit of this vision we are focusing on three major streams of campaigning work:

- justice for all
- solicitor brand
- human rights and fundamental freedoms

2. Campaigns

Justice for all

Aims and objectives: As part of the strategy and business plan, we will campaign to protect justice for all, supporting our members to deliver sustainable and affordable legal services and focusing on ensuring access to justice for all our citizens, irrespective of their background.

We engaged with parliamentarians on a number of issues on access to justice:

- Debates on the address. Following the Queen's speech, we briefed MPs ahead of the debate on Europe, human rights and keeping people safe at home and abroad. We also briefed peers before the debate on home, legal and constitutional affairs. Lord Falconer highlighted concerns on the accessibility of the justice system and court reform. He also argued that technological change needs to be *"grasped rather than something to be afraid of."*
- I wrote to a targeted group of MPs raising concerns about the Government's plans to increase the small claims limit and remove general damages for whiplash claims. This led to two meetings with David Nuttall MP and Yvonne Fovargue MP which will take place in the next few weeks.
- We briefed MPs ahead of oral Justice Questions on 14 June. The Law Society was mentioned by Labour MP Nick Thomas-Symonds, who quoted the President's remarks on the potential effects of the Government's plans for increasing the small claims limit on access to justice.
- During the Attorney General's oral questions session, the Law Society was referenced by Dr James Davies MP on its support of LawWorks, public legal education and pro bono. Responding, the Solicitor General, Robert Buckland MP, welcomed the work of LawWorks and said that it had supported efforts to support litigants in person.
- We supported the launch of the All Party Parliamentary Group on Pro Bono. The President spoke at the event, alongside the Solicitor General and Alex Chalk MP, chair of the group, and highlighted the significant contribution of the solicitor's profession to pro bono.

- The President met with Philip Davies MP, member of the Justice Select Committee, and Mr Davies agreed to table questions on the methodology used by the Ministry of Justice on the increase on employment tribunal fees.

Human Rights

Investigatory Powers Bill - In addition to the summary at item 5

We continue our influencing work on the Investigatory Powers Bill, as it progresses through Parliament. We briefed MPs during its passage through the Commons and also led the following engagement activities:

- We arranged a meeting with the Conservative MPs, the Rt Hon David Davis MP and Sir Edward Garnier MP to discuss the importance of protecting legal professional privilege (LPP) in the Bill. These parliamentarians were supportive of our calls and expressed an interest in working closely with the Society during the passage of the legislation.
- We met Sir Keir Starmer QC MP, who is leading on the Bill on behalf of the Labour Party, as well as Lord Beecham and Baroness Hayter who also expressed support. We continue to work with the Bar Council and other organisations with a view to agreeing on a set of joint probing amendments on LPP to be tabled when the the Bill passes through the Lords.
- The Vice-President spoke at a breakfast event on the Investigatory Powers Bill organised by *The Lawyer* where he made important points on the progressive erosion of Legal Professional Privilege and potential issues caused by bringing individuals with overall responsibility for the legal function within the Senior Managers Regime (SMR).

Wider human rights issues

Further work continues on wider human rights issues:

- I met with Penny Mordaunt MP, Minister of State for the Armed Forces, to discuss the issue of human rights and the military and briefed the minister on the Society's position on human rights legislation which protects the military as well as holding them to account for their actions
- The President hosted a dinner discussion on Business and Human Rights. The dinner discussion focused on business ethics, values and transparency in supply chains and attendees included senior representatives from HSBC, Unilever and City firms.
- During the President's and Secretaries Conference (with local law societies), the President delivered a panel session on business and human rights, focusing on the UK National Action Plan and the domestic activities carried out by the Society in the year.

3. EU referendum - In addition to the summary at item 1

We also supported members with information and events throughout the EU referendum campaign.

- At a roundtable on Brexit for Chief Operating Officers in the City, there was a discussion on the interpretation of the Electoral Commission registration rules about 'promoting an outcome', the legislative mechanics of Brexit, and the notion of securing recognition of English law in existing contracts so that Brexit would not trigger termination of rights.
- We hosted a public debate on the potential implications of Brexit on the legal services sector. There were over 100 attendees and the event was chaired by Monica Burch, senior partner at Addleshaw

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Goddard. The panel included Sir Keir Starmer QC MP and Chris Bryant, competition partner at Berwin Leighton Paisner, who both presented the argument to remain, and Clive Thorne, partner at Wedlake Bell and Martin Howe QC presenting the argument to leave.

- The Law Society and Bar Council co-hosted an event with the APPG on Legal and Constitutional Affairs on Brexit. The panel included Sir Keir Starmer QC MP, Gordon Nardell QC (20 Essex Street Chamber), Caroline Stroud (Freshfields Bruckhaus Deringer) and Richard Cranfield (Allen & Overy) and attendees included Alberto Costa MP, Jonathan Djanogly MP, Baroness Ludford, Lord Clement-Jones and Lord Dykes.

4. Technology and the Law

As part of our thought leadership programme on the *Future of Legal Services*, we delivered the following activities:

- The President hosted the third in a series of Carey Street dinner discussions on technology and the future of legal services. The latest one focused on machine learning, artificial intelligence and the law. Attendees included representatives from HM Treasury, the Government Office for Science, academics and technology and innovation experts in the business and legal sectors.
- The President also delivered a keynote speech at the LegalEx Conference on technological innovation as a driver of change and a panel discussion at a Barclays breakfast seminar on the future of legal services for financial stakeholders.
- We hosted a conference entitled '*Robots and Lawyers: partnership of the future*' on 21 June as part of London Technology Week. The panel included representatives from IBM-Watson, BAE Systems, the University of Liverpool and the chair of the Law Society Technology reference group. Over 230 people attended the conference. This was followed by a Carey Street dinner with the panel and other key policy stakeholders.
- Technology, innovation and legal services will also be the subject of a seminar taking place for international bar leaders and members as part of the programme of events around the Opening of the Legal Year.

5. Other stakeholder engagement

- I spoke on a panel session at the Association of Personal Injury Lawyers (APIL) Conference. Attendees included personal injury solicitors, and Lord Faulks QC gave the keynote address earlier in the day.
- The Vice President gave the opening address at the Junior Lawyers Division (JLD) annual conference and also gave a speech at the JLD Gala Ball. The audience was comprised of members of the JLD and the JLD executive committee.
- The President delivered a keynote lecture on common law to the Brazilian judiciary at the Brazil International congress on Tuesday 24 May. He also delivered a presentation alongside Amanda Pinto QC, chair of the Bar Council International Committee on the difference between barristers and solicitors.
- Both the President and Vice President spoke at the Modern Law Conference in Manchester on 14 June. The President spoke on a panel about conveyancing in the morning, and the Vice President

represented the Law Society on a panel about the future of the professional bodies in the afternoon alongside the SRA, the Bar Council, CILEx and the Council for Licensed Conveyancers.

6. Wales

The National Assembly for Wales election took place on 5 May and returned a minority Welsh Labour Government. The leader of Welsh Labour, Carwyn Jones, (who saw some competition from Plaid Cymru supported by the Welsh Conservatives and UKIP initially) has been confirmed as First Minister. Two former solicitors at Thompsons have gained key roles. Vaughan Gething, is the new Cabinet Secretary for Health, Well-being and Sport and Mick Antoniw is Counsel General.

On the day of the official opening of the Fifth Assembly the UK Government announced a Wales Bill to extend law-making in Wales following a reserved powers model. The draft Wales Bill was strongly criticised and some modifications have been incorporated. The Bill envisages a continuing single jurisdiction for England and Wales with a justice working group to look at distinctive arrangements to accommodate Wales within the England and Wales jurisdiction.

The Wales Office Summer Reception was again held at the National Museum Wales. Solicitors, judges ranging from tribunal chairmen and district judges to a member of the High Court and the designated Chancery Judge for Wales, attended as well as stakeholders including Welsh Government officials. Assembly Members from across the political spectrum joined the Vice President who spoke at the occasion.

7. International

Regional Programmes

On 27 May, the President participated in a roundtable discussion in Kazakhstan around the benefits of an independent legal profession with representatives from Kazakhstan Bar Association and the Kazakhstan Republican Collegium of Advocates. The President gave a well received speech on the current structure in England and Wales and the benefits of having a legal profession independent of the government. As part of the visit, English and Welsh solicitors practising in Almaty and representatives from international law firms to discuss the legal service market, the growing trend in the use of English law in Kazakhstan, and the Law Society's activities both internationally and at home. Furthermore, we also hosted an English Law Day Forum to promote the use of English law in cross border transactions, solicitors' expertise and England and Wales as a jurisdiction of choice, attended by 170 delegates.

On 1 June, the President attended and spoke at the German Bar Association's annual conference in Berlin. The key objectives for the visit were:

- to maintain a good relationship and show our commitment to joint future work with the German representative bar association Deutscher Anwaltverein (DAV) and the newly elected President Mr. Schellenberg;
- to position the Law Society as a key stakeholder and a thought leader, by speaking at the Bar Leaders Panel on "The future of the legal profession", which was successfully attended by 55-60 German lawyers and international bar leaders and pictured to The Law Society as expert and leader on AI and disruptive innovation;
- to support The Law Society's work on future strategy and the consultation to reform the Legal Services Act (LSA) 2007;
- to promote the 2016 International Marketplace conference and the international team's plans to organise an inward delegation with the DAV.

- The President met the President of the German Regulatory Bar Association (BRAK) discussing legal aid, the future of the legal profession report, ABSs, the review of the LSA 2007, as well as most recent political challenges, such as BREXIT and the refugee crisis in Europe. He also met the DAV (Danish bar association) and the Danish Association of Law Firms where we discussed their membership models as voluntary associations, which resulted in interest from DAV in organising a German inward delegation to London around OLY and International Marketplace in October.

On 2 June, the City of London and The Law Society organised a private roundtable discussion on the current rate of financial reform in India seen from a regulatory and legal perspective. Aside from The Law Society's members, the roundtable was attended by members of the City of London Advisory Council for India who added their own perspectives to the discussion as Indian financial sector experts. UK-based opinions from around the table will be fed into private sector discussions in India on key issues of regulatory and legislative change that have the potential to reform India's financial sector. The session considered current bills in the Indian parliament, such as the Bankruptcy Law, as well as recently amended legislation on key issues for doing business, such as land acquisition.

International Rule of Law Programmes

From 18 - 20 May, the international human rights policy adviser attended the IACA (International Association for Court Administration) conference in The Hague, entitled "Promoting regional and global approaches to justice administration". Contacts were established with representatives of international tribunals, the World Bank (Justice Reform and Global Governance practice), international consultants on rule of law, the CEELI Institute in Prague, and Supreme Court justices and Ministry of Justice officials from various countries (e.g. Kazakhstan and Saudi Arabia). These contacts may be used in the development of capacity-building programmes on the rule of law and international human rights.

On 2 June, the international human rights policy adviser met at the Foreign and Commonwealth Office (FCO) with representatives working on the Americas. Issues discussed included the situation of lawyers at risk in Honduras and Colombia, follow-up to the Law Society intervention letter sent after the murder of environmental activist Berta Caceres in Honduras, and further coordination of activities between FCO and The Law Society with regard to intervention letters and other human rights related work. This meeting was held as part of a strategy to establish closer relationships with the FCO on the countries where The Law Society is active, or is considering undertaking activities, related to the rule of law and human rights.

On 10-12 June, the international human rights policy adviser participated in a regional consultation with the United Nations Special Rapporteur on the Independence of Judges and Lawyers in Belgrade, Serbia. The situation of lawyers at risk in the Balkans, Russia, CIS and central Asia was discussed and contacts were made with the Special Rapporteur, individual lawyers from such countries, the OSCE Rule of Law Unit, IBA Human Rights Institute, ABA Centre for Human Rights, Council of Europe HELP programme, Freedom Now, Fair Trials International, Human Rights House Foundation, and Partnership for Transparency Fund.

On 3 June 2016, an intervention letter was sent out regarding the attempted assassination of Mr Supoj Kansong, a human rights defender in Thailand. Mr. Kansong is a member of the Southern Peasant Federation of Thailand (SPFT) that supports local communities against displacement from their lands. The Law Society expressed its intention to monitor the investigation into the attempted murder of Mr. Kansong, as well as the situation of other human rights defenders in Thailand who are hindered in carrying out their activities.

On 31 May another intervention letter was sent out regarding Mr Issa al-Hamid, a human rights activist from Saudi Arabia and a founding member of ACPRA (the Saudi Association for Civil and Political Rights), who was sentenced on 14 April 2016 to 9 years imprisonment, followed by a 9 year travel ban, by the Specialized Criminal Court in Riyadh. The Law Society called upon Saudi Arabia to release Mr Issa al-Hamid, honour its treaty obligations to ensure the protection of human rights defenders, and ensure that they can carry out their work without harassment, intimidation, or persecution.

8. Brussels

The EU Committee last met on Monday 9 May in London. An important part of the meeting was devoted to the forthcoming EU membership referendum and what role the Law Society could play after 23 June. The next meeting will be on Monday 11 July.

Policy announcements are also becoming rarer in Brussels in anticipation of the UK referendum on EU Membership on 23 June. An exception to that is the renewed focus on regulated professions with the announcement of a number of consultations and initiatives by the European Commission DG Growth.

The Brussels office submitted a response to the EU Commission consultation on the EU Transparency Register. This follows from our practice note of 15 March 2016 on the same issue.

On 27 May representatives from the Brussels Office joined the European Commission's informal Insolvency consultation working group. Jamie Leader from the Society's Insolvency Law Sub-Committee took part in the discussions with the Commission on the EU consultation on insolvency framework.

On 30 May we met with Marcus Scheuren, EU Parliament Adviser for the Committee on Economic and Monetary Affairs, to discuss the tax law developments. We also met with Alison Fraser, DG Justice, Legal Officer on Equality Legislation to discuss the developments in the EU equality legislation.

We also hosted a joint event with the ICAEW Competition section on "State Aid and Taxation - a change of direction?" on 7 June

Appendix 2

Membership services key activities

1. Communities

Highlights from the last couple of months include the In-house division conference on 15 June, attracting a record 146 delegates and the GC350 event, “Secrets of Success” with 80 attendees.

The team is busy doing business planning, with input from their expert advisory committees, and putting together their engagement programmes for 2016/17 which detail the support and services that we will be delivering to different membership segments.

2. Corporate Responsibility Equality & Diversity (CRED)

We have held roundtables and consultation meetings in London, Cardiff and Birmingham on proposed pro bono initiatives. We have been working with the Civil Justice Council and Local Law Societies to ensure that our pro bono projects complement and support the work of our members throughout England & Wales.

We have completed a pilot disability work experience scheme. This has given 7 aspiring solicitors with disabilities, two-week work experience placements with a variety of legal firms and in-house departments

We received 37 applications from solicitors for our social mobility ambassador project. Ten new ambassadors were selected for 2016/17. These will be announced at a soft launch on 28 July and formally launched at the Excellence Awards.

3. CPD Centre

Between 26 April - 16 June the CPD Centre team delivered 10 webinars with 578 participants and 6 Online Courses (eCourses).

These included:

- CQS Core Financial Crime
- CQS Core Protocol in Practice
- Immigration and Asylum Accreditation Level 2 - Module 1
- Immigration and Asylum Accreditation Level 2 - Module 2
- Immigration and Asylum Accreditation Level 2 - Module 3
- Interactive Ethical Scenario: Client Pressure

- 4 eQuizzes: Private Client PS CPD Quiz May 2016, Law Management Managing for Success Quiz May 2016, Property in Practice Quiz June 2016, Legal Compliance Bulletin Quiz May 2016
- 1 eLecture: IHT and death - A tax update from Eason Rajah QC

As of 16 June 2016 the total number of registered members of the CPD centre was 57,407, which is up from 55,290 on 25 April 2016; 52,483 on 16 December 2015; and 42,065 in December 2014.

4. Events

From 26 April to 16 June 2016, the events team delivered 60 face-to-face events. The event types included: commercial events (15); corporate/low cost/free of charge events (41) and admission ceremonies (4). This compares to 47 events over the same time period in 2015.

Approximately 4,547 people attended the 60 face-to-face events which offered 97 hours of CPD.

Submissions for the 10th annual Excellence Awards have now closed and we received 416 nominations. This matched last year's total exactly, which was the highest in the awards history.

5. Library

As part of the library's member engagement plan, Michael Maher gave a presentation about library services to Swansea Law Society's AGM in May. Feedback has been positive with the library services brochure being posted onto Swansea Law Society's web page and also, following a request from Carolyn Kirby, being forwarded onto West Wales Law Society. Having been told about the presentation, Helen Saunders, Head of Legal Network Wales, has invited Michael to talk at their annual conference in October.

Feedback from the library's email customer satisfaction survey continues to be positive with: (1) 95% (up 2% on April) of responders indicating they were very likely of likely to recommend the service to a colleague; (2) 100% believing their request was dealt with in a polite and professional way; (3) 95% (up 3% on April) very likely or likely to use the services again.

Legal research and LawDocs requests from members averaged 847 per month between April-May, up 3% on same period last year. There was a sharper rise in email enquires, up 10% compared to same time last year. Member footfall was also up to 33 members on average visiting the library each day over the last two months. The library Twitter account had increased to 1,878 followers at the end of May, a rise of 66% compared to the same period last year.

6. Publications and forms

Titles publishing during this period include the third edition of Profitability and Law Firm Management and the first edition of the Immigration & Asylum Handbook: A Guide to Publicly Funded Legal Work under the Immigration and Asylum Accreditation Scheme. The Immigration & Asylum Handbook was developed as a manual to accompany and support the Law Society's Level 2 Immigration and Asylum Reaccreditation Course and is also an invaluable resource for anyone working with a legal aid agency immigration contract. The new edition of the SRA Code of Conduct is currently in production to publish this month.

The commissioning and production editors also delivered the content for five new mandatory online training courses to support accreditations. Work is ongoing for the following two online courses that are due to go live by the end of June:

- WIQS – Estate Administration: 2016 Update
- WIQS – Will Drafting: 2016 Update.

7. Membership Services and Support Centre

Quarter on quarter call volumes decreased across the Practice Advice and Support Centre teams when compared to the available data for the same time period last year, while the FAS service continued its trend of showing increased volumes. Between 26 April - 16 June 2016 The Find a Solicitor team (FAS) saw an increase of 18% taking 12,924 calls. The Practice Advice Service (PAS) responded to 3,321 calls, a decrease 1% compared to 2015 and The Support centre responded to 7,356 calls a decrease of 1.5%. The service levels and abandonment rate targets were met by all teams.

'AML' enquiries continue to be one of the most discussed topics for the PAS team (546 for the period) with Conveyancing being the second most discussed topic. The team received 6 Queries in the month of Item 10 CEO Report to Council July 2016

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May from conveyancing firms concerned about the case of Purrusing v A'Court & Co. Firms acting for both buyers and sellers are concerned about what steps they should be taking or what enquiries they should be raising regarding the identity of a seller in light of that case and are seeking guidance from the Law Society. These queries have been referred to the conveyancing policy team and are to be discussed at the Conveyancing and Land law Committee.

During the period 26 April - 16 June 2016, 122 calls were logged from members seeking assistance with My Law Society. Over 60% of calls on this subject were from members seeking assistance either activating their account or logging into the system. A further 7% who sought assistance with their MLS account were referred to the SRA to obtain the required data to link their MLS and SRA accounts.

All three telephone support teams are continuing to survey callers and have achieved satisfaction rates above the target of 85%. PAS achieved a satisfaction rate of 99%, FAS 93% and The Support Centre 96%.

Mental Capacity (Welfare) Accreditation

The Membership Board approved the business case to launch a new accreditation for practitioners working under the Mental Capacity Act 2005. Work will now continue to launch the accreditation before the end of the this year.

The accreditation will enable the Court of Protection and consumers to identify individual practitioners who hold expertise in advising and representing clients without mental capacity (P) under the Mental Capacity Act 2005 in Court of Protection proceedings. It also recognises expertise in dealing with other associated parties with P (for example, family members) and statutory bodies such as local authorities or NHS Trusts.

Consumer promotion of Wills and Inheritance Quality Scheme

As part of raising awareness of WIQS amongst consumers, we exhibited at the Alzheimer's Show at London Olympia on 10 - 11 June.

Solicitors from five WIQS accredited firms attended and provided specific advice to consumers in pre-booked one-to-one surgeries as well as providing general advice and guidance to a further 70 people who visited the stand. Our main stage presentation covered the top ten tips on writing a will and included an audience Q&A with two solicitors.

Popular areas of advice given were: the complexities of writing LPAs, dealing with issues of mental capacity, how to ring fence care home funding and how to search for a WIQS accredited firm on FAS.

Based on very positive feedback received from the participating members and consumers, we will consider attending this or similar events again next year.

8. Digital Strategy

Deloitte have completed their work on the development of an outline digital strategy to help us to design and deliver better digital services for our members. The strategy was discussed at the June Membership Board meeting. Implementation of the digital strategy will need to progress in close alignment with the delivery of the IT roadmap and strategy as the technology infrastructure is required to underpin our ability to provide better a better digital experience.

Appendix 3

Consultation responses

During the period, the Law Society has made the following responses to consultations or calls for evidence. Responses are published online <http://www.lawsociety.org.uk/policy-campaigns/consultation-responses/>:

- Welsh government consultation on compulsory purchase reform
- Judicial Executive Board consultation on reforming the courts' approach to McKenzie Friends
- MOJ consultation on proposals for the First-tier Tribunal and Upper Tribunal fees
- Home Office and HM Treasury consultation on the action plan for AML and CFT legislative proposals
- HM Treasury consultation on the call for information on the AML and CFT supervisory regime

Appendix 4

Litigation Update

1. SRA v SDT & Arslan (Law Society Interested Party)

The SRA has brought a statutory appeal and applied for judicial review against the Solicitors Disciplinary Tribunal decision upholding an appeal by Mr Arslan, a non-solicitor legal consultant, in respect of two SRA decisions imposing sanctions under sections 43 and 44 of the Solicitors Act.

The Society considered that it would be appropriate to intervene in the case to ensure that all factors of importance to the profession are fully canvassed from a wider perspective and not limited to the facts of this particular case.

The Society has sought permission to intervene by way of both written and oral representations, limited to the issue of appropriate standard of proof. The SRA has written to the Court seeking to determine the Society's application to intervene and to expedite the hearing for listing in September. We await the decision of the Court before taking any further action.

Appendix 5

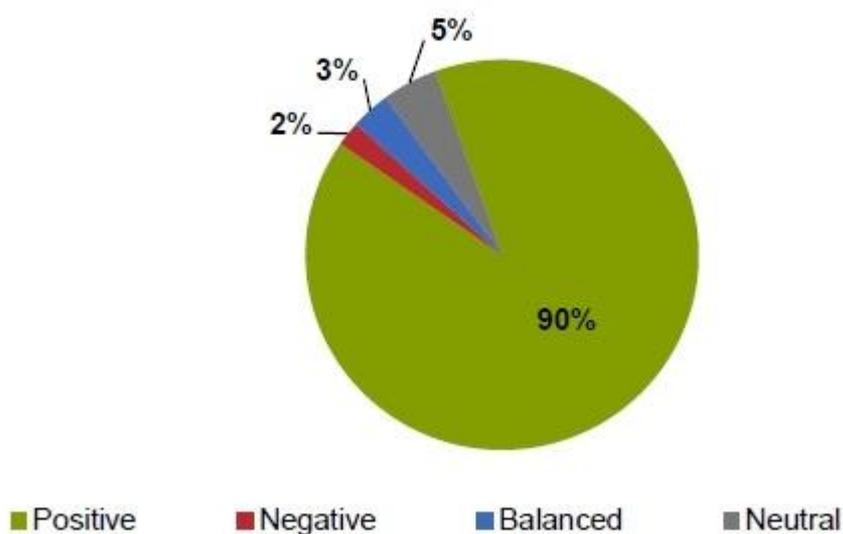
Media Coverage

This report examines 439 articles (505 including duplicates) from the mainstream media coverage the Law Society received in May.

Key Findings

- **Positive coverage totalled 396 articles in May.**
- **Positive content was driven by the Society's annual Professional Indemnity Insurance Research Report** (16 articles), the Legal Professions Wellbeing Taskforce (15 articles), the Society's Annual Statistics Report 2015 (13 articles) and Dying Matters Awareness Week (12 articles).
- **'Why putting your will top of your to-do list is so important' was the leading press release**, with 12 items. 'Thousands walk through London to raise cash for charity plugging justice gap' and 'Queen's Speech: Reaction from The Law Society' also generated significant coverage with nine and seven articles respectively.
- **A Society spokesperson featured in 27% of coverage** (120 articles).
- **Law Society President Jonathan Smithers was the foremost spokesperson**, featuring in 13% of total coverage.
- **'CQS' gained the most campaign traction**, with 18 articles.
- **The dominant positive reputation attribute was 'Represent'**, present in 160 articles (36% of all coverage).
- **'Regulation' continued to be the leading theme**, featuring in 60 articles.
- **Negative content decreased by 36% month-on-month.** The leading driver of this coverage was the Legal Services Board's Regulatory Standards 2015/16 report (3 articles).

Share of Coverage by Sentiment



Top 25 pages all	Views
Home	128,035
Search results	27,007
For the public - Find a solicitor	17,267
Becoming a solicitor - routes to qualifying	13,499
Get in touch	12,787
Log in	11,903
Becoming a solicitor homepage	7,868
For the public - probate	5,760
PN - AML customer due diligence	5,701
For the public homepage	5,621
Law careers - frequently asked questions	4,758
Get in touch - complaints	4,670
Becoming a solicitor - alternative careers	4,624
Accreditation - conveyancing quality scheme	4,420
For the public - making a will	4,415
PN - Lasting powers of attorney	3,998
PN - Anti money laundering main	3,834
PN - client care	3,791
PN - joint ownership	3,791
For the public- personal injury claim	3,525
For the public - paying for legal services	3,469
Practice notes homepage	3,327
PN - AML money laundering offences	3,318
For the public - moving in together	3,230
For the public - accredited specialists	3,141

Top practice notes	Views
AML - customer due diligence	5,701
Lasting powers of attorney	3,998
Anti-money laundering main	3,834
Client care	3,791
Joint ownership	3,791
AML - money laundering offences	3,318
Setting up a practice regulatory requirements	2,550
AML - money laundering warning signs	2,287
Mortgage fraud	2,286
Financial abuse	2,126

Top advice articles	Views
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TA form specimens	2,188
Law Society launches new LPE1 form for leasehold property	2,005
Standard conditions of sale	1,805
Deprivation of liberty	1,787
TA6 property information form explanatory notes	1,649
The pitfalls of solar panels	1,378
Source of funds clean or consistent risk	1,247
Tax rules for compensation and settlements when are they considered capital gains	1,203
New model conditional fee agreement	1,180
Help to buy isa scheme - conveyancing solicitors role	1,104

Top blog	Views
Emotional resilience escaping low self esteem	995
Being out at work	599
Will lawyers be replaced by robots	492
The robots are coming	478
Do we need new law or legal concepts to govern ai and machine learning	229
Are you an emotionally resilient lawyer	164
Stress and the legal profession	105
How not to be an emotionally resilient lawyer	92
Westminster weekly update purdah before brexit	84
What's in solicitors heads	68

Top news	Views
CON 29 guidance notes published	2,867
Law Society revised con 29 and con 29o forms	2,821
New sdlt calculator produced by hmrc	2,123
CON29 and CON29O enquiries	1,870
Introduction of extended chaps hours	1,778
Budget announces cuts to business rates from 2017	1,295
Deferred date for vat on con29 searches	632
Future of legal services	581
AML policy update June 2016	538
Launderers in the news	484

Top policy and campaigns	Views
Legal pride	1,246
CON29 and CON29O consultation response and specimen forms	752
Conveyancing panels campaigns	593

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Home Office and HM Treasury consultation on the action plan for aml and cft legislative proposals	589
Criminal legal aid campaign	432
Letter to the european commission regarding the implementation of market abuse regulations	414
Policy campaigns homepage	401
Judicial executive board consultation on reforming the courts approach to mckenzie friends law society response	328
Access to justice campaign	306
Consultation responses homepage	268