

Michelle Jacobs  
Legal Services Board  
One Kemble Street  
London  
WC2B 4AN  
**By email**

31 January 2014

Dear Ms Jacobs

### **Legal Services Board draft business plan 2014-15**

Thank you for the opportunity to respond to the Legal Services Board's consultation on its business plan for 2014/15. The Bar Standards Board is pleased to make this submission.

In relation to the work proposed in relation to Regulator performance and oversight, the Bar Standards Board encourages the Legal Services Board to take as light a touch as possible in this year given that full reviews will take place in 2015/16. As the Legal Services Board knows, the Bar Standards Board is in the middle of a significant and formally managed programme of change, which is already wholly aligned to both the LSB's Standards Framework and the 2015/16 review date. Finding a way of understanding the BSB's progress without impeding that progress through a time consuming and potentially distracting mid-programme performance report would be a positive and helpful approach for the LSB to take.

There is no difficulty with thematic reviews being undertaken. We trust that there will be an opportunity to have input into the size, shape and scope of any thematic review prior to it commencing. We see this as being useful to ensure that all relevant information can be identified to assist. Where we have our own thematic reviews planned, it may be helpful to ensure that effort and expenditure of resources are not duplicated.

In relation to strategy development and research, we note with interest the significant piece of work proposed in relation to regulatory costs. We support this activity in principle and think the Legal Services Board is uniquely placed to undertake it. However, we have reservations about whether the range of aspects can be completed within the timeframe indicated, especially if our interpretation that you are also looking at compliance costs when assessing indirect costs is correct. We suggest that doing this work well is more important than doing it quickly and the timeframe may need be extended to allow for this.

We note the range of possible areas of review listed in paragraph 34. It is difficult to judge the impact of the Legal Services Board's activity here or how the BSB may contribute to it until the Legal Services Board decides which one or ones it will pursue. We would prioritise the Schedule 13 activity to assist all regulators.

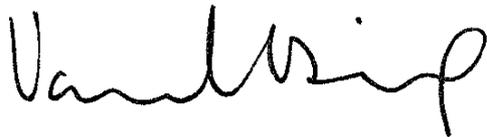
There is considerable activity proposed in relation to "improving the consumer experience". This is an area where both the Board and the Legal Services Consumer Panel could provide assistance to the regulators in helping us to reach or understand consumers who are difficult to identify or contact. This is an area that has been identified as challenging by several regulators. The Legal Services Board could use its central position to make a real difference here. We encourage it to do so.

We think that there is an opportunity for the Legal Services Board to gather examples of good practice and disseminate them to the frontline regulators across all activities. This could usefully include looking at other industries and jurisdictions. We don't see that the Legal Services Board is maximising its central position unless it starts to place greater emphasis on articulating good practice drawn from evidence and experience in this way.

It would be useful to understand how the budget is apportioned between the three main areas of work identified: regulator performance and oversight; strategy development and research; and statutory decision making (ie LSA 2007 Schedule 4 activity). This would give greater clarity about how the Legal Services Board balances its activities and prioritises use of resources. By doing this, we think that the Legal Services Board may demonstrate better whether it is delivering value for money. Without it, we still query whether any of the functions could be delivered at less cost than is presently the case. Understanding the balance of costs between the core statutory activity and those activities which we continue to argue are more discretionary in nature becomes, in our view, even more important in the context of the Ministry of Justice's review of the legal services regulatory framework.

We hope this commentary is helpful and thank you again for the opportunity to contribute. We would of course be happy to discuss any points further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vanessa Davies', written in a cursive style.

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