

1. Do you agree with the analysis of the strategic drivers (pages 3-6)?

No. The views expressed in your report are all concerned with the success of the service. You need to review the effectiveness of how you perform your present remit, under the Legal Services act 2007, before committing funds, time or research (which commitment would be ultra vires your statutory remit) to exploring the possibility of expanding your role (or assisting the LSB or SRA to expand their roles) into the fields of providing ombudsman services to “customers” of unauthorised service providers – or bluntly, the unregulated. If you think the public needs you to improve the benefit of your protections from regulated providers then you will need a sea change and a radically different statutory remit before you start working with unauthorised providers. Allowing someone access to complain about the service they have received from an unauthorised provider does not improve the quality of anyone’s service nor do you have the vires to afford a remedy against an unauthorised provider. The relentless focus on cheapening legal services for the public benefit has to be reviewed

	<p>in a more open and transparent way. “Former butcher offers unauthorised cheap heart surgery” is not a benefit to the consumer.</p> <p>You need to give greater emphasis to your work to promote better service standards from the regulated community before you branch out into unknown territory.</p>
<p>2. Are the vision, mission and strategic objectives the right ones (pages 7-10)?</p>	<p>Your vision is partial. You do not drive improvements in the provision of legal services. You settle complaints – often by advising regulated firms or individuals that you will find against them unless. Your role is not that of a high-minded developer of excellence. It is to manage complaints effectively and swiftly. Your correspondence delays are legendary – you persist in issuing requirements to respond to your enquiries within a few days and then do not respond yourselves for weeks. The public are generally looking for things to be put right or a financial benefit. Talking about “adding value through evidence-based feedback” sounds as though you have swallowed a beginners guide to management</p>

	<p>speak. It does not build confidence in your organisation. Strategic objectives 3 &amp; 4 are not fit to be strategic objectives – these should be business requirements (where not ultra vires the Act) and should not be given this prominence. You are giving the impression that improving how you do what you do is a step change rather than a minimum requirement for a competent organisation. Members of the regulated profession need to be regarded as your “customers” too. At present you do not apply the third or fourth principles in your dealings with the profession.</p>
<p>3. Are our planned activities the right ones to deliver our four proposed objectives? Have we missed any, or are there any we should deprioritise? (pages 12-16)</p>	<p>I think this question refers back to your proposed objectives set out on page 3 of your report. If this is right then clearly your communication needs some work?</p> <p>You need to focus relentlessly on doing your core remit effectively, swiftly and cheaply. You need to avoid denigrating the profession save where there is clear evidence of wrongdoing or failure to meet regulatory standards. Any regulated professional against whom you uphold a</p>

complaint is a step *away* from meeting your objective to encouraging an independent, strong diverse and effective legal profession. You need to focus on the statutory remit and scrap all of the scheme-building, planning for the future, strutting your stuff on bigger and better platforms objectives that seem so much sexier than just doing the day job cheaply and well – which is what you seek from the regulated providers you work with. You need to examine more closely what consumer benefits you *really* bring – do you encourage more people to use properly regulated insured and professional providers – are you ensuring that when those people need legal assistance in the future it will still be available to them – or do you give them cash compensation and an uncertain future when Google is the only route to legal help and price the only determinant of choice? You miss all the big points. A general benefit to all consumers of legal services could be to scrap the LeO service altogether – saving the costs to the profession and thereby reducing prices. I agree that this is an illusory view of

	<p>“benefit” although currently a popular one – you need to focus on showing that you spend money on improving the quality of legal services being delivered – not just on reducing their cost or handing out compensation to the aggrieved.</p>
<p>4. Does the strategy strike the right balance between realism and ambition in maximising the impact of our scheme, modernising the organisation and the changing legal services landscape?</p>	<p>It is not part of your remit to maximise the impact of “your scheme” (and it isn’t “your scheme”, either, by the way). You fulfil, or ought to, a statutory function with a codified set of rules most of which your report seems to regard as inconvenient bars to the innovation you would like to introduce. The legal services landscape is not changing for the better. You need to ask why fewer and fewer local people have local regulated trusted professionals in their communities to consult with and take advice from anymore – in part this is because the reputation of the profession is under constant attack from those purporting to improve the situation for consumers. If the present trends continue you will need to have invested a lot of time in working out how you will penalise an algorithm as the only</p>

	affordable route to cheap legal services will be via AI.
5. Do you have any specific comments on our budget for 2017-18 (pages 17-19) and our business plan (pages 11-22)?	<p>I don't see how you can plan for a new IT roll-out with training costs being held flat – this is not a common occurrence – new systems usually generate requirements for massive increases in training. Reducing the public facing commitments of the Chief Ombudsman could presumably save some travel and subsistence costs. When will you budget for webinars for the profession – free training in complaints handling, provision of free training resources and materials not to mention a better and clearer exposition of what LeO's role is – as at present this seems to be widely misunderstood – perhaps mostly by those responsible for writing up your objectives.</p> <p>Perhaps I might suggest a very small first step. As an article of faith for this year you should ensure that you never require a regulated professional to respond to you in less than the time you expect it will take you to deal with their response?</p>

With my kind regards,

**Nick Fluck**

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