



LEGAL OMBUDSMAN CONSULTATION STRATEGY AND BUSINESS PLAN 2017-2020

Consultation response by:

The Professional Paralegal Register (PPR)

28 February 2017

The Professional Paralegal Register (PPR)

1. PPR is the voluntary regulatory scheme for Paralegals who work in the unregulated sector in England and Wales. It was launched at the House of Lords in December 2014 after extensive consultations had taken place with The Law Society; The SRA; The Bar Council; The Bar Standards Board; The Legal Services Board; The Consumer Panel of the LSB; The Legal Ombudsman's Office; CILEX and CILEX Regulation.
2. A stakeholders' forum took place in June 2014 with attendance from Skills for Justice; The Ministry of Justice; The Institute of Paralegals; The National Association of Licensed Paralegals; The Society of Willwriters; The Institute of Professional Willwriters; Mc Kenzie Friends; Citizens Advice; The Legal Ombudsman; Law Society for Scotland; The Scottish Paralegal Association; Which?Legal; Co-operative legal; TSI; Council for Licensed Conveyancers; Chartered Institute of Patent Attorneys; Institute of Trade Mark Attorneys; The Voluntary Public Interest Advocacy (McKenzie Friend Association) and the Treasury Solicitors.
3. The aim of the PPR is to provide a robust regulatory scheme for Paralegals working in the unregulated sector in England and Wales. It has, as one of its regulatory objectives, improved access to justice for consumers who require cost effective and legal advice and assistance. The PPR is a not-for-profit organisation.
4. The Register is both open and transparent and provides a list of PPR members who are categorised in 'Tiers' dependant on their qualifications and experience. The register is accessible to all. The regulatory scheme enables consumers to seek out professionally qualified and 'regulated' (by the PPR) Paralegals in the knowledge that they can take advantage of a first tier complaints procedure via a Paralegal's membership body and a second tier complaints procedure via the PPR that has a compensation fund available in certain circumstances.
5. The Legal Services Act 2007 (the Act) allows for the provision of legal services outside the Regulatory Framework and provides the court with discretion to grant permission to conduct litigation or rights of audience to non-authorized persons.
6. The PPR has a direct interest in the remit and strategic plan of the Legal Ombudsman's Office and in the questions that this consultation raises.
7. The PPR welcomes further discussions with the Legal Ombudsman to enable us to assist with the continued dialogue with the provision of voluntary regulation of the unregulated market. For more information on the PPR please visit <http://ppr.org.uk>

Introduction

8. The PPR accepts that it is important that a collaborative approach amongst key stakeholders is required to encourage a strong, diverse and effective legal profession that delivers cost effective assistance to consumers who may seek redress.
9. The PPR are grateful to the Legal Ombudsman for the opportunity to respond to this consultation.
10. The consultation seeks views on the Legal Ombudsman strategy and business plan for the next three years.
11. The PPR notes the key business planning assumptions and is interested to see that the core demand for its legal jurisdiction in 2017-2018 will remain at 7,000 cases.

Consultation Questions

Question 1: Do you agree with the analysis of the strategic drivers (pages 3 – 6)?

12. PPR takes the view that the strategic drivers are appropriate to deliver the vision and mission outlined.
13. Implementation of the CMA's legal services market study recommendations in relation to adapting delivery of the legal ombudsman scheme to take account of the changes to the legal services market is deemed to be essential.
14. Exploring opportunities with the MoJ to extend the jurisdiction of the Legal Ombudsman service to the unregulated market is of particular interest to the PPR. It should be noted that the PPR does not agree with use of the term 'unauthorised' and would prefer to see the term 'unregulated'.
15. Consumers who choose to use unregulated providers should be signposted to the PPR as the only viable option to seek redress.
16. The PPR agrees that a strategic driver should include consideration of the LSB's vision for a fully independent single regulator covering the whole sector as the current provision is not sufficiently risk-based, and the Legal Ombudsman effective role within that framework.
17. Efficiency targets are in the PPR's opinion high relative to the cuts already achieved.

Question 2: Are the vision, mission and strategic objectives the right ones (pages 7-10)?

18. The PPR would like to see reference to the consumer within the vision as the legal services market is a consumer-led market.

19. The PPR are pleased to see that the strategic objectives are limited to four target areas.
20. Objective one is paramount and encompasses the need for effectiveness.
21. Objective two the PPR is aware and impressed at the level of engagement it has with the PPR and other stakeholders however, the PPR wonders how the Legal Ombudsman intends to influence the legal services market as a whole?
22. Objective 3 is central to the mission and the PPR agree that this is a key strategic objective.
23. Objective 4 -The PPR agrees that keeping up to date with technological changes is essential for a fast and efficient service to be provided.

Question 3: Are our planned activities the right ones to deliver our four proposed objectives? Have we missed any, or are there any we should de-prioritise (pages 12-16)?

24. The PPR agrees that the planned activities are the right ones to deliver the objective.
25. The PPR would like to see consumer education activities across Q1-4 each year in addition to those activities that are undertaken by other stakeholders.
26. The PPR welcomes the opportunity to assist the Legal Ombudsman in offering redress to those who use unregulated providers.

Question 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?

21. It is the PPR's view that the foundations of the service offered by the Legal Ombudsman have been well established. The overall strategy is well thought out and wholly appropriate if not a little ambitious with the cost efficiencies that it will have to make.

Question 5: Do you have any specific comments on our budget for 2017-18 (pages 17-19) and our business plan (pages 11-22)?

22. On the basis that the demand assumptions are correct, the changes that are proposed to improve performance appear consistent with the outlined budget.
23. The PPR agrees with the five areas that the business plan focuses on. Quality and customer experience are highlighted strongly along with operational issues including people, stakeholders and infrastructure, resources and efficiency.
24. The PPR would like to see all consumers of legal services whether provided by regulated or unregulated providers to be able to find appropriate information on how they may resolve the complaints that they have. The jurisdiction of the Legal Ombudsman does not allow for complaints to be heard where services have been undertaken by unregulated providers but the PPR would argue that those providers should be signposted to alternate provisions to include the PPR.