



By Email

Matthew Hill
CEO
Legal Services Board (LSB)

9 December 2021

Dear Matthew

Subject: Consultation response: LSB's Draft statement of policy on empowering consumers

Thank you for giving us the opportunity to comment on the draft statement of policy on empowering consumers. The Bar Standards Board (BSB) fully supports the intention behind the statement of policy and welcomes the proposed outcomes.

In our response to the draft statement, we would like to highlight three key points.

1. To ensure there is sufficient flexibility and room for innovation, it is important for the statement to avoid undue prescription and to focus on outcomes and principles. Some specific expectations, in particular, risk stifling innovation and the adoption of different approaches to achieve the outcome, for example on information around service, redress and regulation¹. Equally the self-employed Bar is still mainly a referral profession and therefore initiatives could involve working with various intermediary parties to achieve the outcomes for the consumers mentioned in the statement.
2. The consultation states that regulators are best placed to assess and quantify impacts of the any new regulatory changes on the profession and themselves as a result of this new statement. We agree. Within this context, it is important to ensure that regulators are given the flexibility on implementation, recognising other commitments agreed with Boards and stakeholders and the limited resources available.
3. Where outcomes require joint working between regulators, it is important to prioritise and sequence these initiatives with a joint workplan to ensure impacts on the profession and regulation are taken into account and there is an established process of collaboration. We would welcome a discussion on this at the Market Transparency Competition Oversight Group (MTCOG) in January 2022.

¹ Paragraph 13 onwards of the draft policy statement.

We would be happy to discuss any of these points further. Please do not hesitate to contact Rupika Madhura (Head of Policy and Research) if you have any questions.

Best wishes

A handwritten signature in black ink, appearing to be 'Mark Neal', with a stylized flourish extending to the right.

Mark Neal
Director General