



**LEGAL SERVICES
BOARD**

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Freedom of Information request

Date request received: 23 March 2016

Date of response: 05 April 2016

LSB reference: 20160323-01

Request:

Is it in the public interest for councils and courts to keep hidden that unqualified people are carrying on the conduct of litigation and reserved legal activities within the court system without proper authorisation under the Legal Services Act 2007?

Is this why there have been so few prosecutions for this criminal offence.

Are agencies providing solicitors advocates, many who do not have rights of audience, and who turn up in place of outside solicitors firms instructed by councils to put charging orders on people homes for non-payment of council tax and then the same solicitors firms are used to petition for bankruptcy.

What is the point of the Legal Services Act 2007 if it did not give the Legal Services Board or any other organisation any powers to investigate or to prosecute any person or body alleged to have committed any of the offences set out in sections 14 – 17 of the Act.

Raising concerns with the police who are funded by the local authority will most likely result in them refusing to bite the hand that feeds them.

Can you tell me how many judges, solicitors firms, council and courts staff, are turning a blind eye to the Legal Services Act 2007 and are classing anyone before the court as an (officer of the court a term for court staff court) knowing that many people would not realise that they are expected to bring criminal prosecutions themselves and that the CPS are unlikely to take over the case?

Response:

I write in response to your email of 23 March in which you raise issues about the ability of non-authorised persons to carry out reserved legal activities. You have also questioned why so few prosecutions have been brought under sections 14 to 17 of the Legal Services Act 2007. Your correspondence has been considered in accordance with the Freedom of Information Act 2000 (FOIA).

To confirm, the Legal Services Board was set up under the 2007 Act to oversee the work of the frontline regulators of legal services, including the Solicitors Regulation Authority and the

Bar Standards Board. Although the Act does set out some criminal offences, the LSB has not been granted powers to prosecute persons suspected of committing them, and as such, in common with the vast majority of other criminal matters, it is for individual police forces to make decisions about investigation and charging, and in conjunction with the CPS, prosecution.

The LSB is unable to provide answers to the questions that you have raised about solicitor advocates or the approach that various partners in the judicial system have taken to the Legal Services Act. These questions cannot, in our view, be classed as requests for information as set out in section 8 of the FOIA in that you do not describe the information requested.

If you are dissatisfied with our response to your request for information, you have the right to ask for an internal review or to submit a complaint (see LSB's Freedom of information – Complaints procedure: http://www.legalservicesboard.org.uk/can_we_help/lrb_policies_procedures/freedom_of_information/index.htm).