

*“Legal services that everyone can access
and trust”*

Making it happen – removing barriers to innovation

*Legal Futures Innovation Conference
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Caveat

- General election purdah

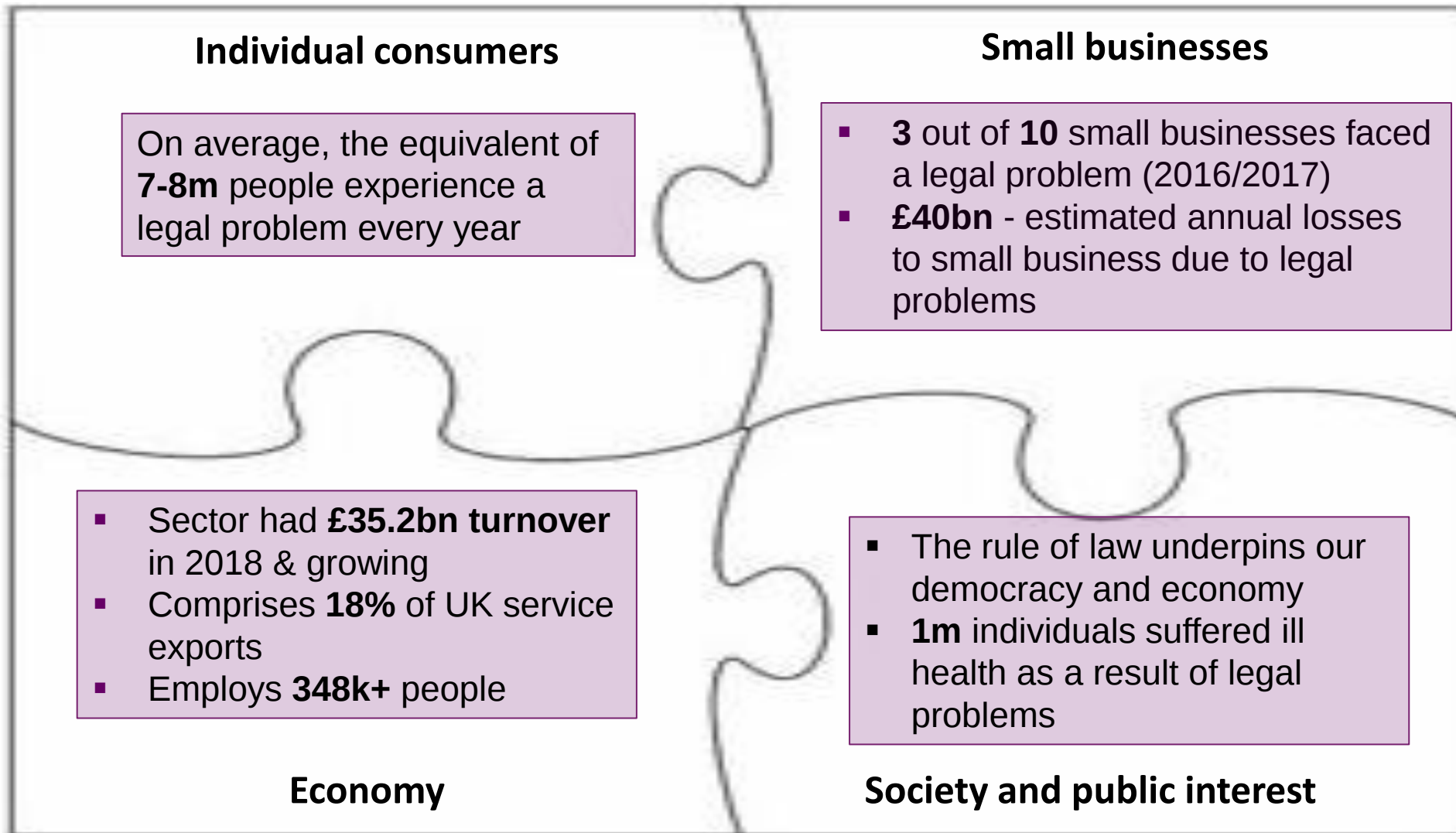
Agenda

- LSB: who and why
- Confidence, capability, access (and innovation!): questions for debate
- LSB work in hand

Who

- Oversight regulator for legal services regulation
- Established through Legal Services Act 2007
- Took on full responsibilities 2009: 10 years old
- 2019/20 budget £3.8m, 32 FTE approx.
- Funded through levy on regulators: no exchequer funding

Why...



The vision

“Legal services that everyone can
access and trust”

What does that mean from a consumer perspective?

- Public **confidence** in legal services
- **Capability** to engage with legal services
 - (including recognising when they might help)
- **Access** to high quality legal services that meet people's needs

...confidence, capability, access

For example



- **Public confidence** in legal services
 - Regulatory standards that reflect public expectations. Consequences for not delivering. Clear redress mechanisms
 - Better information on quality and price – which also drives competition
 - Improvements in equality and diversity: a legal profession that resembles the communities it serves – builds confidence
 - **Taking the public on the innovation journey...**
- **Capability** to engage with legal services
 - Public legal education, better general consumer info
 - **Delivering in ways that reflect day to day experience/preferences**
- **Access** to relevant legal services
 - **In theory: competition drives exploitation of tech and service innovation, reduces cost, increases access and diversity of provision**

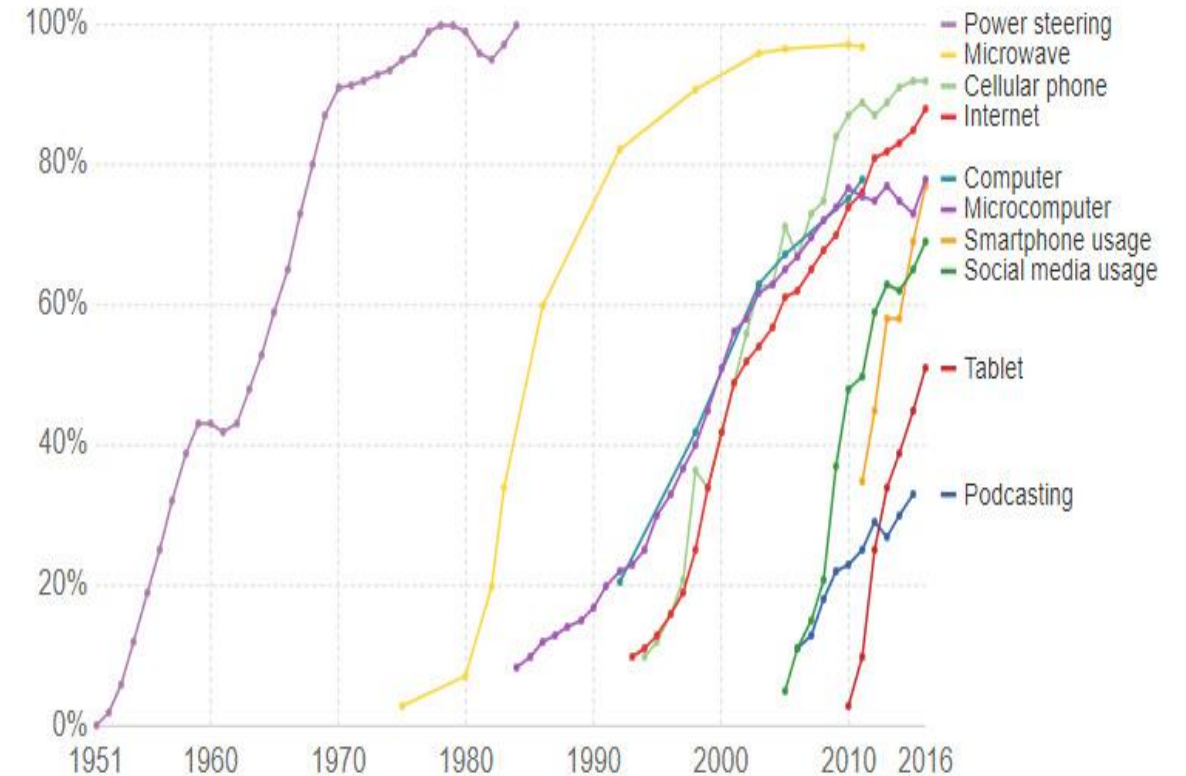
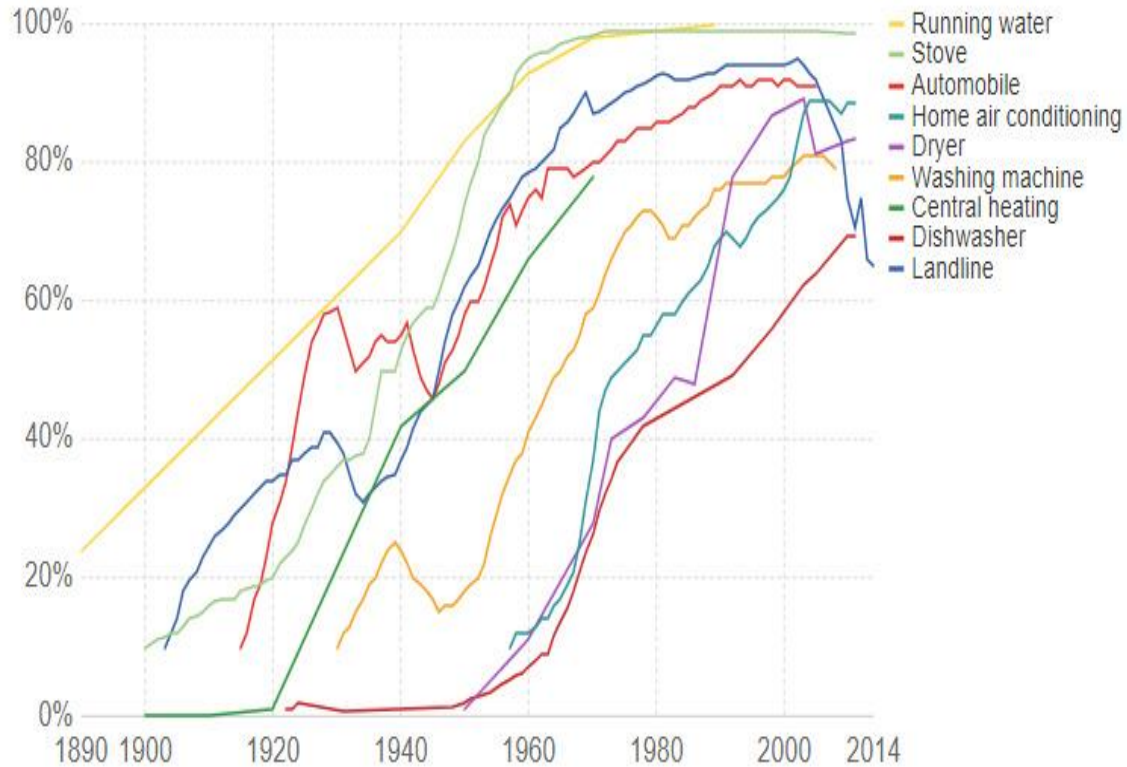
Confidence

- **Taking the public with us on the innovation journey**
 - Transparency – who (or what) am I talking to? Who has my interests at heart? Who takes responsibility when it goes wrong?
 - Testing – does it work? How does it work? How do I know it works?
 - The “yuk” factor: even if I can answer the other questions, am I comfortable?
 - NB this goes beyond ethics and into *taste* – cf *slow acceptance of GM foods*
 - *And not confined – by any stretch of the imagination – to the legal sector*

Capability

- **Delivering in ways that reflect day-to-day experience/preferences**
 - Does this look like something I recognise (from another context)?
 - Conversely, does it look different enough from something that might put me off legal services?
 - Can I work it?...or do I need a lawyer to walk me through it?
 - AND - society has growing appetite for innovation...

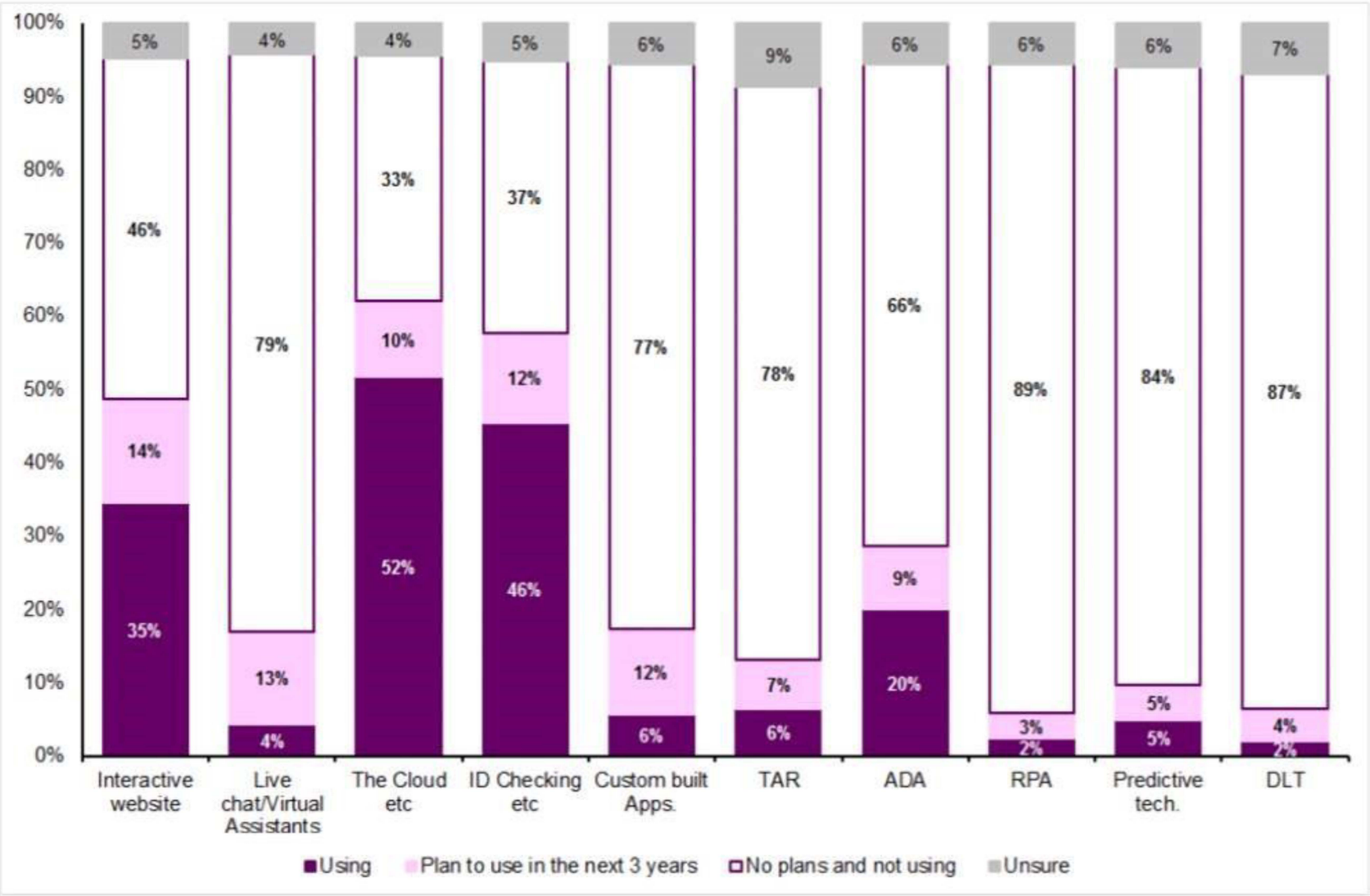
Technological uptake (US)



Source: Visual Capitalist 2018

In fact, it's possible appetite might be higher on the part of consumers than it is for providers...

Levels of technology use by different groups of providers (2018)



Access

- **In theory: competition drives exploitation of tech and service innovation, reduces cost, increases access and diversity of provision.**
- But – why isn't this happening?
 - Regulation seen as a barrier? Yes but decreasing in importance
 - Right environment for developments in place e.g. sandboxes?
 - Sufficient competitive pressure to change business models e.g. price/quality info?

...and...what does it mean for professions?



- Erosion of information monopoly?
- Mitigation of asymmetries
- Concept of “middle men/people” increasingly redundant eg through DLT, self serve, crowd-sourced advice
- What will it mean to be a lawyer in 2030, 2040, 2050?
- What will it mean for education & training, standards? (remember long lead-in times)
- What will it mean for relationship with client?

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Most searched:

Accountants and Auditors

Lawyers

Computer Programmers

Teachers and Instructors, All Other

Software Developers, Applications

Taxi Drivers and Chauffeurs

Graphic Designers

Software Developers, Systems Software

Engineers, All Other

Veterinarians

Big questions, what is the LSB doing?



- **Current Technology Project – Developing approaches to regulating technology**
 - Research papers and ‘Talking Tech’ podcast – on Apple Podcasts, Android and Spotify
 - International approaches to LegalTech – Alison Hook from Hook Tangaza
 - What can we learn from medicine and finance - Professor Roger Brownsword, King’s College London and Bournemouth University
 - Technology and the Legal Services Act 2007 – Professor Noel Semple
 - Blockchain – Dr Anna Donovan, Faculty of Laws, University College London
- <https://www.legalservicesboard.org.uk/our-work/current-work/technology-and-regulation>

Big questions, what is the LSB doing?



The next few months

- January - Further papers and podcasts, including one focusing on ethics and technology – Contributions welcome
- February - 'Perspectives' papers with views from tech developers, law firms, regulators, consumer bodies and others on *how regulation can support innovation that improves access to justice*
- March – 'Perspectives' event to get the views of stakeholders about how regulation can support innovation – Do get involved
- April – LSB 'lessons learned' paper and next steps

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The future is already here – it's just not evenly distributed

William Gibson, The Economist 4 Dec 2003