



THE HONOURABLE SOCIETY OF THE INNER TEMPLE
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Submission to the Legal Services Board

Draft Strategic Plan 2012-15 and Business Plan 2012/13

Introduction

The Honourable Society of the Inner Temple is pleased to respond to the Legal Services Board (LSB) Consultation on its Draft Strategic Plan 2012-15 and Business Plan 2012/13.

The Inner Temple is one of the four barrister Inns of Court. The Inns not only play an essential role in recruitment, admission and education & training for the Bar but also in providing guidance and strategy for the profession. We work to ensure that the Bar is well placed to flourish in the future and has made significant strides to ensure that its membership is diverse and socially representative.

The Inner Temple welcomes the LSB's focus on encouraging an independent, strong, diverse and effective legal profession. We would encourage the Board to build on its work with relevant stakeholders in the sector and to ensure that it is building effective partnerships towards these aims.

We respond specifically to some of the points made throughout the document below.

Quality in Legal Services Provision

“Removing these barriers is expected to enhance the level of competition and increase incentives to innovate and offer services at lower cost” (p 9)

1. While consumers must be at the heart of regulation, it is important that consumers are well versed on the type of service provision available to them. Many consumers will not always know of the services that they can commission directly or the level of quality that they can expect. Subsequently, **consumer choice can often be skewed to services based on cost alone**. Consumers and the public must have confidence in the legal profession and appreciation of its high standards and ethics.
2. There are considerable dangers in a system that **focuses too strongly on encouraging function-specific legal services, to the detriment of broader professional legal application and knowledge**. More holistic understanding of a given area of law is often required in a given case. The inability to appreciate and assess potential difficulties or future repercussions of certain legal decisions poses significant risks to consumers. Outcome-based quality assurance will therefore need to consider this carefully and take into account the fact that functional service provision may not always take into account wider legal understanding.

3. The draft strategic plan routinely mentioned the need to reduce cost of legal services. It also regularly sights costs as the understandable focus of consumer needs. **Markets on their own do not always signal quality and it is important that cost does not come at the expense of quality.** Given its low overheads, the self-employed Bar is well placed to flourish based on lower-cost provision but this is not always understood by the public and consumers.
4. In particular, we feel that there are risks, as listed on page 17, that liberalisation of entry into legal service provision could lead to a decline in standards when costs fall too sharply in some areas. **Opening up access to justice must be underpinned by quality of provision and outcomes.**
5. We would stress, as the LSB has done, that “access to justice is as much about quality as it is about availability and affordability” (p 28). We do not believe that is beneficial for the consumer to accept “different levels of quality in different circumstances” (p 28). All legal provision should be to a high level.

Education & Training

“We will also play our part in enabling a market for education and training which is similarly diverse in the provision offered and the students and practitioners it attracts. There is little point in trying to liberalise the legal services market if we continue to recruit and train lawyers for practice in a bygone age.” (p 10)

6. The Inns of Court continue to play an essential role in the education of students and practitioners. As such, advice and guidance is often sought from it on equality & diversity matters. **Without taking into account of the work of the Inns of Court to support this agenda, a vast centre for training, statistics and best practice policies would be neglected.**
7. The Legal Education & Training Review (LETR) is currently looking into the future of legal education & training. We acknowledge that the LSB have already begun holding seminars with stakeholders to highlight specific areas of the education & training review (p 28). We also note that the LSB intends to carry out a number of thematic reviews and run formal enquiries when required. It is important that the approved front-line regulators (ARs) themselves, who are leading this review, are empowered to run such seminars.

Diversity

“Risks facing the legal services market: Regulators, the legal market and legal profession fail to grasp the opportunity to deliver a diverse profession, leading to a loss of consumer and public confidence in legal services and, ultimately, the justice system” (p 16-17).

8. One of the main visions of the LSB Strategy is to foster as diverse a legal profession “as the community they serve” (p 12). This is echoed throughout the report.
9. For this reason, the Inner Temple runs numerous outreach activities for prospective lawyers. It launched a Schools Project in 2008, working with the National Education Trust, Pathways to Law and the Social Mobility Foundation to promote an understanding

of the legal professions at school stage. This is part of a larger programme of work to ensure that all prospective barristers, regardless of their background, are aware of the opportunities available to them and to raise aspirations to the legal professions.

10. As we have previously noted, diversity and social mobility is a process rather than a goalpost. As such, any mechanism that the LSB wishes to implement should be **focused on fostering a culture that values these ideals. This can only be accomplished through a strong working relationship with stakeholder organisations.**

Research and International Focus

11. It is important to recognise and advertise the business case for committing to diversity and social mobility. We would support the LSB undertaking research in this area.
12. We also note that LSB intends to commission research on the international importance of existing legal qualifications (p 30). The Bar of England and Wales has a significant global role. **The Inns of Court are essential in this international remit.** Each year, hundreds of international students study for the Bar Professional Training Course and join the Inns of Court with the intent of then returning to their home jurisdictions. In addition, barristers' chambers are increasingly becoming international entities with outposts across the world.
13. The Inner Temple will imminently be holding an event for Eastern European lawyers to discuss the benefits of close collaboration with English Bar. We undertake advocacy training in numerous jurisdictions around the world, such as Malaysia and Romania, to strengthen justice internationally.