



**LEGAL SERVICES  
BOARD**

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**Freedom of Information request**

Date request received: 29 February 2016

Date of response: 22 March 2016

LSB reference: 20160229-01

**Request:**

1. Please could you tell me how many complaints or referrals you have received from members of the public, the judiciary or legal profession about the carrying out of reserved legal activities without proper authorisation under the Legal Services Act 2007 (conduct of litigation or exercise of rights of audience) and provide statistics for what action (if any) was taken by the LSB.
2. Please could you tell me how many investigations have been carried out by the Legal Services Board in each calendar year from 2010 to date in connection with the carrying out of reserved legal activities without proper authorisation under the Legal Services Act 2007 (conduct of litigation or exercise of rights of audience).
3. Of those investigations please can you tell me:
  - a) how many prosecutions have been pursued
  - b) how many convictions secured
  - c) how many investigations, prosecutions and convictions related to McKenzie friends / lay representatives or advisers or persons not holding themselves out as lawyers or not legally qualified (broken down into such categories as you record)
  - d) how many such matters are pending at investigation or prosecution stage.
4. Please provide any policy or strategy you operate in relation to matters above.

**Response:**

I write in response to your email of 29 February in which you requested information about the number of complaints or referrals that the LSB has received with regard to the carrying on of reserved legal activities, without proper authorisation, under the Legal Services Act 2007 (the Act), and any action that the LSB has taken in response to such allegations.

I can confirm that the LSB holds some of the information that you have requested. Starting at the year 2011, from which our records begin, the number of complaints and referrals received are as follows:

2011: 1

2012: 2

2013:1  
2014: 3  
2015: 1  
2016: 1

In response to your subsequent questions as to what action the LSB has taken, investigations carried out or prosecutions launched as a result of these complaints or referrals, I should explain that the Act did not give the LSB any powers to investigate, or to prosecute any person or body alleged to have committed any of the offences set out in sections 14 to 17 of the Act. Our approach, in response to the complaints or referrals that we have received has been to advise those bringing such matters to our attention to refer their concerns to the relevant police service, who have the power to investigate all criminal matters, and to decide, in conjunction with local prosecutors, whether a prosecution has a reasonable prospect of success and is in the public interest. The LSB does not hold figures as to how many such allegations have been prosecuted or led to criminal convictions.

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](http://www.legalservicesboard.org.uk/can_we_help/lrb_policies_procedures/freedom_of_information/index.htm).