



**HOO K TANGAZA RESPONSE TO CONSULTATION ON DRAFT STRATEGY FOR THE
LEGAL SERVICES SECTOR AND DRAFT LSB BUSINESS PLAN 2021-22**

Q1 – Do you have any comments on the three strategic themes that we have identified?

We agree with the proposed three strategic themes and their goals. But we suggest that the first theme (“fairer outcomes”) should also include ‘fairer process’. Whilst outcomes are extremely important, particularly in the area of unmet legal need, a focus on outcomes alone does not fully recognise the problems occurring during the consumer journey that contribute to unfair outcomes. Consumers are becoming alienated from legal services at every stage of the process, and to fully ensure better outcomes, this must be addressed in every stage of the process.

We would also add that a key overarching strategic theme that should be emphasised across the LSB’s work is transparency. The LSB can have most impact by shining a light on everything that goes on in the legal sector, not only in terms of price and consumer service, but also in terms of greater transparency around qualification, diversity, disciplinary actions, consumer feedback, consumer recourse etc. Transparency can also go a long way to nudge behaviour in a positive direction by giving legal service providers benchmarks against which to measure.

Q2 – Do you have any comments on the nine challenges that we have identified for the sector?

We would agree with the nine challenges identified and believe that they encapsulate the major challenges facing consumers and the justice system today.

Q3 – How can you/ your organisation contribute to overcoming the sector wide challenges we have identified?

As an organisation, we believe that much of the work we do relates to these challenges.

Challenge 1 - Our collaboration with Legal Beagles on the state of consumer justice over the past year has provided us with significant insight into unmet legal need in England and Wales. By analysing the data collected from the Legal Beagles consumer forum, we have developed greater insight into civil justice issues and can see how this evidence base could contribute towards, for example, case studies in particular areas. Hook Tangaza and Legal Beagles, under the joint brand Beagles Insight, have also begun to use this resource to develop a legal services user panel, which would allow us to pose specific research questions to real world consumers, many of whom have suffered from unmet legal need or have experienced the legal sector directly. By developing this project further, there is significant potential to provide more insight into unmet legal need and the barriers to access and resolution.

Challenges 3 & 4 - Much of our recent research has focused on education and diversity within the legal sector. This has been developed through our work for CILEx Education, as well as research on the SQE and the diversity impact of the forthcoming changes in the qualification system.

In addition, we also manage the operations of the Central Applications Board (LawCab) which administers both GDL and LPC applications. We have recently led a redesign of LawCAB which has opened up the portal to SQE applications. This provides us both with significant data on education and diversity in those entering into the solicitor profession and access to new entrant opinion. Both of these inputs could be used to contribute to developing strategies that would help to overcome some of the challenges of diversity at the qualification stage.

Challenge 7 – We would definitely agree that work needs to be done to increase consumer awareness about legal services. The market is struggling to produce a consumer-focused comparison tool for legal services, whilst at the same time there is a clear need for it.



Challenges 8 & 9 - Given the competition in legal innovation developments globally, we believe that it is important to take decisive action to continue to facilitate the growth of this sector in England and Wales.

Q4– Do you have any comments on the suggested areas of priority for the sector 2021-24?

We agree that the priority areas identified cover the wide range of issues currently facing the legal services market.

Q5 – Do you agree with our proposal to pursue these workstreams? Is there anything missing that you think we should focus on in 2021-22?

We would agree with the identified workstreams, however we would propose that there should be a more specific workstream focused on transparency and consumer comparison, as a specific workstream.

We would also suggest that a more specific workstream be developed to look at PII and the barriers created by the current system. This has been raised with us as one of the important barriers holding back innovation, particularly in areas like unbundling. More insight is needed into this area.

Q6 – Do you see any areas of joint working between the LSB and you/ your organisation?

- **Consumer engagement:** Our ongoing collaboration with Legal Beagles and the creation of Beagles Insight presents a great opportunity for the LSB to generate more effective quality indicators for understanding consumers' needs. This is an area of potential collaboration and joint working between Hook Tangaza, Legal Beagles and the LSB.

Through Beagles Insight, we can access real-world consumers, who have been engaged in the legal process and use their experiences to develop an understanding of what would have been most helpful to them when purchasing legal services.

- **Ongoing competence:** we have already been providing some research assistance to the LSB on this issue. We think that there is a small group of legal service regulators internationally who have reached a similar point in their thinking and who could come together to develop joint thinking on competence frameworks. This work would not only be a ground-breaking collaboration which would help consumers but could also have a valuable role to play in improving the international mobility of legal service providers. We would be happy to facilitate such a collaboration.

Domestically, we think that a project that brought the sort of thinking on quality indicators that has emerged from our work on ongoing competence, together with the Just Beagles comparison site operated by our partners at Legal Beagles, would add value to what most commercially driven market comparison tools are struggling to provide.

- **Scope of regulation:** we have worked on similar mappings in the past, for example on foreign lawyers operating in the UK, and have the expertise to provide valuable insights into both the overall mapping of the unregulated sector, and also a wider understanding of how this could affect consumer redress and the potential for voluntary regulation.

Given our experience in mapping an existing unregulated sector of the market, we are well placed to contribute to the methodological design of the desk research, as well as providing our own input into the research itself.

- **Legal support for small businesses:** Again, Beagles Insight could assist here. There is potential to build a panel of small business owners, similar to the consumer panel which we have already begun to build, through the Legal Beagles Consumer forum. This could be used to develop a fuller understanding of the legal issues faced by SMEs. As these SME panel members would have faced real world issues, the results of the panel would be tested by experience, allowing us to develop more accurate insight into exactly where problems lie, and how they have developed.

This panel could also be used to test the products proposed in the strategy. With further information about the tests required, we could further target specific panel members, for example testing employment related products with users who have faced specific employment related issues.

Q7 – Do you agree with our proposals that we should not undertake a statutory review of reserved legal activities in 2021-22?

We would agree that it does not make sense for the LSB to take unilateral action when the government has indicated that there is not the political will to make change at the current time.

Q8 – Do you have any comments on our proposed market intelligence work? Is there anything missing that you think we should focus on?

We would suggest that as well as examining the LSB's own datasets, attention should be given on providing guidance and assistance to the regulatory bodies on their own data collection. In our experience there is significant variability in the public data collected. By providing assistance and guidance to the RBs the quality of public data collected in relation to holders of different legal professional titles could be significantly improved.

Based on our own interaction with the RBs, we believe that we could contribute to the development of easy-to-collect data points at stages immediately prior to entry into the profession, allowing for a clearer picture of how the profession is actually performing on issues like diversity.

Q9 – Do you have any comments on our proposed budget for 2021/22?

No, we do not have any comments on the proposed budget.

Q10 – Do you have any comments regarding equality issues which, in your view/experience, may arise from our proposed business plan for 2021/22? Are there any wider equality issues and interventions that you want to make us aware of?

We do not have any comments on wider equality issues arising from the proposals.