

# Ongoing competence in the legal services sector (England and Wales)

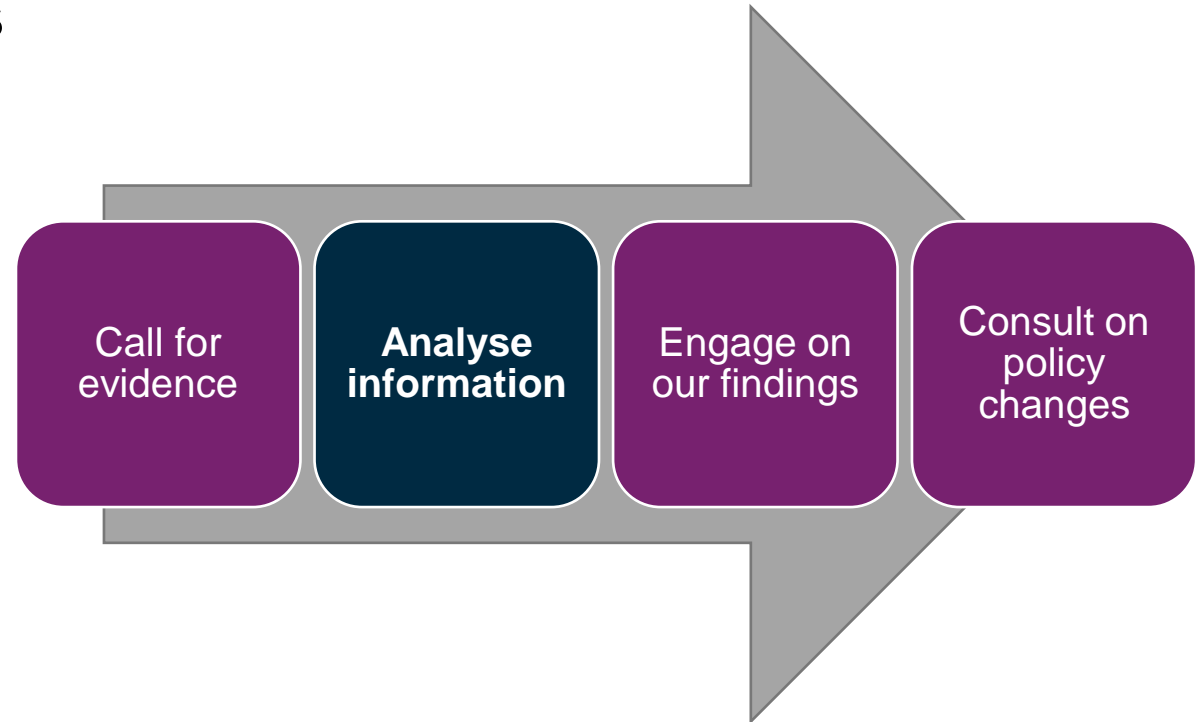
**Margie McCrone**  
Regulatory Policy Manager  
Legal Services Board

ICLR, 29 October 2020

# Our ongoing competence project

**Aim:** to explore whether legal regulators have the right frameworks in place to ensure that the professionals they regulate remain competent throughout their careers

- Why are we doing this?
- Our approach
- Current phase of the project



# Emerging themes

- Technical and specialist skills e.g. advocacy, emotional and technological competence are all important
- There is some support for a shared competence framework for all legal professionals, which could be shared with consumers
- Consumers expect that there are robust quality checks in place and have difficulty assessing quality themselves
- The legal services sector takes a light touch approach (compared with other sectors) with limited and variable testing of competence beyond CPD

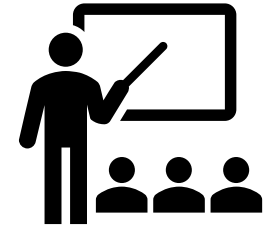
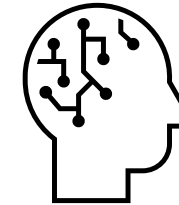
# Emerging themes

- There is a lack of objective data on quality, but there are some quality concerns in some areas e.g. criminal advocacy, immigration, conveyancing
- CPD is not a proxy for competence and there appears to be support for a more robust approach
- Many parts of the sector already adopt additional methods for assuring competence e.g. collecting feedback
- Any intervention may need to be targeted to harm or risk of harm to vulnerable consumers

# Competence assurance methods

What are some of the methods used to assure competence in different sectors?

<b>Peer review</b>	<b>Audits</b>
<b>Observation</b>	<b>Mandatory CPD modules</b>
<b>Mandatory remedial training</b>	<b>Specialism</b>
<b>Accreditation and reaccreditation (revalidation)</b>	<b>Professional registers</b>
<b>Reflection</b>	<b>Feedback models (e.g. customers, peers, judges)</b>



# Thank you

Margie McCrone

[margie.mccrone@legalservicesboard.org.uk](mailto:margie.mccrone@legalservicesboard.org.uk)

Legal Services Board

[www.legalservicesboard.org.uk](http://www.legalservicesboard.org.uk)

 @LSB\_EngandWal