

**REMEDIES PROGRAMME IMPLEMENTATION GROUP (RPIG)**

**Minutes of the fourth meeting of the RPIG  
held on Tuesday 5 December 2017**

<i>Attendees</i>	
Sheila Kumar – CLC – Chair	Sharon Horwitz – CMA
Helen Whiteman – CILEx Regulation,	Paul Kellaway – CMA
Ewen MacLeod – BSB	Matteo Bassi – CMA
Peter James – ICAEW	
Crispin Passmore – SRA	
Vibeke Bjornfors – LSB	
Stephen Brooker – LSB ( <i>by telephone</i> )	
	<p><i>Apologies from</i> Lynn Plumbley – CLSB,            Caroline Wallace – LSB            Paul Philip – SRA            Rachel Merelie – CMA            Vanessa Davies – BSB            Howard Dellar – Faculty Office</p>

**Introduction and apologies for absence**

1. The Chair welcomed attendees to the fifth meeting of the group and noted apologies.

**Government response to CMA recommendations**

2. SH gave an update on discussions with MOJ/HMT and BEIS on the recommendations the CMA had made to Government.

**Engagement with consumer groups on transparency**

3. The Group noted the importance but also difficulty of engaging with relevant stakeholder groups to ensure that any changes in required disclosures by firms would have impact. Engagement in relation to Legal Choices had been positive and there had been good attendance at the recent advisory panel.

4. Themes that had emerged in discussions with consumer groups were the difficulty in finding proxies for quality, helping people and businesses with unidentified legal needs and the potential for developing simple rules of thumb and market indicators.
5. It was agreed that it would make sense to arrange a further roundtable with consumer bodies to take place in February/March so that the regulators would be in a position to share further details of their planned rule changes and obtain input from the consumer bodies from a consumer perspective.
6. CP noted that the SRA was involved with the Attorney General's work on public legal education.
7. The group discussed the extent to which it would be beneficial for any change in rules to be consistent across regulatory communities. It was agreed that there would necessarily be differences to reflect the needs of each professional group's clients but there were areas where consistency would be useful, particularly where regulators were regulating providers of the same services. Subject to the outcome of any consultation there might be the potential for the use of some common templates, particularly around disclosure of pricing in common areas of practice, but that the implementation of any rules or guidance would vary.
8. SK noted the wealth of research conducted by LSB, LSCP and others that would need to be analysed on a service-by-service basis so as to offer greatest relevance to each regulator. VB suggested opportunity to link into the regulators' research forum.
9. The Group considered the scope for translating some of the research and in particular the LSB's pricing research into a more accessible format for reuse on Legal Choices as a tool to aid understanding the range of prices in the market. PJ questioned if there were any risks in relation to competition law of sharing this information, though the Group noted the highly aggregated nature of the data, the fact that pricing would be presented on the basis of indicative ranges and that it related to historic rather than necessarily current or future pricing. VB noted that making the pricing research more accessible might help people understand that some legal services are more affordable than might be assumed.
10. HW noted that there was opportunity for regulators to continue to work together to promote their respective research to make it more widely known. The Group discussed whether certain types of research would be usefully repeated in future.

**ACTION: CMA to arrange a second consumer roundtable for February/March**

**Engagement with representative bodies**

11. SH noted the range of engagement that the CMA had been involved with across professional groups. The Group discussed the potential for some additional engagement. One way to engage the representative bodies further would be to arrange some sessions in February/March involving several representative bodies with each session focused on a particular service of relevance to the representative bodies.

**Self regulatory bodies**

12. The CMA reminded the Group of its plan to engage with the self-regulated sector by hosting a workshop with relevant bodies. The CMA hoped that by sharing the regulators' planned approach to increasing transparency self-regulatory bodies might support members in adopting similar approaches. The Group considered that scheduling the event in early Spring 2018 would give regulators the greatest ability to provide an overview of their general direction of travel.

**ACTION: CMA to circulate proposed list of attendees**

**Legal Choices**

13. The Group noted progress to date and the recent advisory panel meeting. Some work on developing content had commenced. The Group were keen that any content and promotion should be focused on helping people understand their choices rather than simply on legal process. SK noted the limited budget available and the Group noted the need to avoid generating traffic through 'click-bait' and instead focusing on consumers actively looking for help.

**Single digital register**

14. CP provided an update on the SRA's progress in developing its IT systems and own digital register.
15. There would need to be a decision on how best to progress a single register for all regulators and whether this would be for one regulator to take a lead or for all regulators to work in parallel.
16. SK emphasised the importance of working towards a shared data taxonomy to ensure that data fields were directly comparable. EM noted that the BSB had refreshed its systems and had a new data dictionary which it could share

with other regulators. VB noted the importance of reflecting on the needs of re-users of data such as aggregators and comparison tools.

17. The Group discussed how disciplinary data for individual professionals would interact with any requirement for firms to report on complaints data, particularly where an individual changed firm. The Group further discussed this issue in relation to multi-disciplinary firms where a range of regulated and unregulated individuals might be delivering services within regulated firms. It was agreed that these issues and the impact of GDPR should be discussed in the regulators' forum.

**ACTION: BSB to share its data dictionary**

**Consultation update**

18. EM briefed the group on the two consultations that the BSB was conducting - on transparency and training. The BSB was considering how best to provide clarity to the Bar on what proposals might look like in practice.
19. CP noted the engagement and responses received to date. Once the consultation had closed the SRA expected to be in a position to publish an update by late Spring 2018.
20. HW noted that although CILEx Reg regulated a small number of entities but that a number of firms had engaged with the consultation and a significant proportion of individual practitioners had responded.
21. Peter James updated on the ICAEW's proposed and ongoing activities.
22. SK outlined the range of engagement that CLC had been conducting including through the representative bodies.
23. The Group noted the interest that individuals attending various events had expressed in various other proposals and consultations. The Group discussed how best to engage with the current DCLG call for evidence on the home buying process. The Group in particular discussed the possible use of government datasets and commercial issues that were repeatedly raised by firms involved in consultancy such as referral fees.
24. VB noted that she had watched a number of regulators' online webinars and presentations and praised the approach to allow as many stakeholders to engage with the consultation and discussion as possible.

**AOB**

There was no other business.