



**REVIEW OF THE CASE FOR CHANGE**

**CHRIS KENNY**

**A REPORT FOR THE CHARTERED  
INSTITUTE OF LEGAL EXECUTIVES  
JULY 2022**

## **INTRODUCTION**

1. I have been asked by CILEX to consider the quality of evidence which lies behind the "Case for Change" paper to help enable the Board to decide whether to progress to a more formal review.
2. My report is in four parts:
  - Section 1 sets out how I have been tasked and how I have approached the work;
  - Section 2 sets out some general points in relation to the process CILEX has undertaken to date;
  - Section 3 deals with my assessment of the strength of various strands of evidence;
  - Section 4 sets out my overall conclusions based on the analysis.

## SECTION 1 - BACKGROUND

1. This section sets out the nature of my commission and how I have approached it.
2. I was contracted by CILEX on 10 June to meet the terms of reference set out in **Annex A**.
3. This has been a primarily desk-based review. At **Annex B**, I list the material which has been provided to me.
4. I have benefited from two in depth conversations with Linda Ford in the course of my work, one by way of initial briefing and the other offered to clarify any questions I had on the material presented. That latter conversation covered:
  - the respective roles of CILEX and CRL in developing and advocating the "Making Justice Better" package;
  - the state of play for CRL in relation to the position on lender panels and recognition within the CQS;
  - CILEX's understanding of the LSB's view of the former's ability to propose a change to regulatory delegation and its own ability to determine such a case;
  - the extent to which any work has been done on the economics of CRL regulated entities and their comparative competitive position.
5. The Board provided me with access to Stephen Lee to enable me to raise any concerns about my interaction with CILEX staff in the course of my work. Stephen attended my introductory meeting with Linda, but I am pleased to report that I have had no need to approach him further in the course of the work.
6. With the exception of material provided during and after that conversation, I have not sought any further information beyond my briefing pack. **To the extent that Board Directors are aware of further relevant material, this should clearly be reflected in their final decisions on how to proceed.**
7. The Board will note that I am clear that it is not within my remit:
  - first, to take a view as to CILEX's vires in relation to making any proposal to alter delegation. This is clearly a matter for the LSB in the first instance and, if necessary, the courts in due course. But, for the purpose of this report, I assume that any such application would be lawful;
  - second, to judge what the "right" outcome of any review would be. Whilst the Chair's letter of 25 January to Jonathan Rees floats the idea of delegation to the SRA, this is not developed in any detail in the material I have considered, nor are any further options identified or debated. The question for me therefore is not one of "is CRL bad and the SRA good?", but whether there is an arguable case that problems in the current model demand further analysis and potentially proposals for action.

8. In line with my terms of reference, I have also sought to engage with CRL in order to provide them with an independent conduit to place views on record at this stage. I wrote to them on 18 June. Unfortunately, because of IT difficulties at my end, the letter was not received until 30 June and hence a discussion was not scheduled until 15 July. On 12 July, CRL chose to withdraw from that discussion.
9. I very much regret CRL's decision not to engage, which necessarily makes my conclusions less broadly based than I would wish. In section 3, I have noted my understanding of their current plans and suggested the nature of evidence that might usefully have been produced to aid my deliberations, but the weight that can be attached to that thinking is clearly somewhat limited.
10. I do not believe that it is safe to infer that the current absence of visible evidence from CRL in relation to the challenges set out in Chris Bones' letter of 25 January to Jonathan Rees means that such evidence does not exist. However, given the substantial efforts that have been made to engage CRL on matters of both process and substance, both through my work and separately, and on the assumption that efforts to secure that engagement would continue in the course of a substantive review, the Board will want to consider whether it is reasonable to proceed to make a decision now with the information currently available.

## **SECTION 2 – THE PROCESS TO DATE**

1. This section deals with the process adopted in gathering evidence so far and the impact that this has on the quality of material available at this stage.
2. I consider, in particular, whether there are issues arising:
  - first, from the fact that the issue of regulatory delegation is emerging as a by-product of a strategy process, rather than by a dedicated exercise;
  - second, the extent to which there is evidence that the issue is surfacing as a result of representative body concerns, but which would not be appropriate for an approved regulator;
  - finally, I consider the issue in the light of statements CILEX has made about regulatory independence and the overall regulatory system and the extent to which these are or are not relevant in the context of the present issue.

### **The Strategy Process**

3. It is clear from the material I have seen that CILEX has become an increasingly strategically self-aware and capable body in recent years. To some extent, this is, no doubt, in part simply a reaction to external events as the pandemic and digitisation force all organisations to consider their business models. However, the thinking done and decisions made in relation to the organisation's governance, its educational offerings and the development of its members' roles all demonstrate an ambitious body, seeking to take a broad view of what it and its membership can achieve.
4. Against that background, I do not find it surprising that the strategy work with which I was presented has been comprehensive in its scope and informed by significant member input and by work seeking to make comparisons with other key players in the field. Nor do I find it surprising or illegitimate that such a process inevitably leads to other issues coming into focus which were perhaps not envisaged as being an integral part of that exercise at the time work on strategy commenced. I also note some evidence of CRL engagement within this strategy process, although I have been briefed that this input diminished in the latter part of the work.
5. The question arises, however, given that the "Case for Change" is essentially a by-product of wider strategy work about whether input gathered and views formed in that process can legitimately be taken into account in deciding whether to proceed to a formal review or whether "the clock should be reset" and hence that the Board start testing the proposition ab initio.
6. To my mind, the latter option would be absurd: the material gathered so far reflects not simply the immediate strategy exercise, but also the knowledge and experience of the operation of the current model over a number of years. It would be neither effective nor efficient to discount this experience in order to simply recapitulate it in a different form.
7. It cannot, however, conversely be concluded that the strategy process has produced the "right" answer. Whilst there was significant member engagement via the survey, matters related to the effectiveness or otherwise of delegation were not explored and I would anticipate that CILEX would want to elicit (and the LSB expect to see)

evidence of member and perhaps wider stakeholder engagement, both on that issue and analysis of a range of specific options as part of any review, especially if that were to lead to an application.

8. In other words, what has been done on strategy provides a leaping off point for further work, rather than something that can or should be taken as providing a firm conclusion in its own right.

### **Representative Bias**

9. The second general issue to consider is whether there is any evidence that the proposal for a review is motivated in whole or part by the concerns of a representative body rather than approved regulator. I am clear that I have seen no such evidence.
10. Were such concerns to be the motivation, I would have expected to see in, or infer from, the documentation matters such as:
  - pressure on CRL to make significant reductions in the PCF with no concern about the potential impact on the quality of regulation that this might potentially involve – I saw no such evidence in the various budgetary papers I was presented with. CRL's proposal to reduce its initial suggested 2% PCF increase to 0.8% would appear to have been made at its own volition rather than following pressure from CILEX;
  - attempts to argue that CRL was holding the profession to an illegitimately high standard of regulatory behaviour or compliance, so disadvantaging CILEX members, but without any recognition of the wider threat to consumer or public interest that any diminution in quality might involve – again, I saw no such evidence. There was some evidence of general satisfaction with CRL's achievement of strong scores in LSB assessment of regulatory performance and such concern as was evident about individual decision-making was focused on whether CRL standards in the early days of entity regulation were too lax, rather than too onerous;
  - finally, I saw no evidence of any attempt to bring influence to bear on any regulatory policy or case decisions at all, let alone any illegitimate attempt to identify a "trade-off" when CRL approached CILEX for financial help.
11. There is one general point under this heading which is worth noting. The potential conflict for CILEX between its role as a regulatory body and a representative one is arguably somewhat less than for other bodies. By no stretch of the imagination can CILEX members be characterised as being in a dominant position in any legal market. Attempts by CILEX therefore to grow the role of Legal Executives, whether in terms of profile, acquisition of new rights to reserved activities or the removal of regulatory and legal obstacles, therefore directly align with regulatory objectives about improving competition and also consumer welfare at the level of increasing customer choice. There is none of the tension in relation to potential foreclosure of markets which might arise in other parts of the sector. Hence, it is perfectly plausible for CILEX to advocate some positions in its role as approved regulator, which might also carry commercial benefits to its members, without that benefit in any way disqualifying them to put forward that position in their regulatory mode.

12. This point applies with particular force in relation to the regulatory objectives about the strength, independence and diversity of the legal profession as a whole. In present circumstances, it can be argued that the very existence of the profession of Legal Executive in itself is one of the greatest contributors to the achievement of this objective – and, indeed, for the access to justice objective if one were to make a not overly heroic assumption that lawyers who have themselves made a transition from lower socio-economic status will be both better disposed towards clients of a similar background and be perceived as more accessible and understanding towards them. Again, therefore, there is alignment between both the regulatory objectives and what might be perceived as the self-interests of CILEX members and firms, but the fact that the latter exist does not of itself render proposals to address the former illegitimate.

### **Future Overall Regulatory Architecture**

13. Finally, I was presented with a number of statements where CILEX make clear their belief in independent regulation and, indeed, advocate a step change from the entire architecture of the Legal Services Act towards a single regulator, totally independent of the current hybrid approved regulators and representative bodies, as proposed by Professor Stephen Mayson in England and, a little earlier, by Esther Robertson in Scotland. I have no reason to question the veracity of this support and indeed, in my response to the Scottish Government's recent consultation on legal regulatory reform, I am on record as sharing the same strategic view.
14. To the extent that this provides further assurance that the case for change is not driven by a representative interest, it provides support for the legitimacy of CILEX's considerate processes. However, given that any review and decision has to be pursued within the framework of the 2007 Act, it seems to me of comparatively little weight in assessing whether to proceed with a review in current circumstances. Hence the extent to which a change in delegation arrangements does or does not constitute a step towards a single regulator should not be part of the Board's material decision making.

### **SECTION 3 – EVALUATION OF EVIDENCE**

1. I now turn to evaluation of the evidence presented about the fundamental sustainability of the CRL business model and platform. In doing so, I have had in mind:
  - the quality of the evidence;
  - its quantity and consistency;
  - its relevance to the question of whether a review should be launched.
2. In making this evaluation, I am looking particularly at two issues:
  - first, in terms of financial sustainability, is the position of CRL such as to either raise doubts about its own ability to prosper in the medium-term and/or to raise issues for CILEX as an organisation in terms of its own long-term viability?
  - second, consideration of the extent to which any doubts on that subject then raise concerns about either potential threats to the regulatory objectives or, perhaps more realistically, raise concerns about the effectiveness with which they might be pursued.
3. As a general point, it is fair to say that the material presented by CILEX deals more with the first of these issues, rather than the second. This is not surprising: I was presented with contemporaneously produced material to do, for example, with levels of PCF charging and budget spend, rather than longer-term impact. However, both issues are clearly of relevance and, to the extent that problems in relation to the first rebound and cause difficulty to the second, then the case for change is stronger.

#### **Viability of the Business Model**

4. There is no doubt from the material that I have seen that there are challenges to CRL's business model, latent from at least 2016, arising from the scale of task which it faces and the relative challenge for its regulated community of meeting the full cost of what reasonably might be judged to be necessary.
5. This concern arises from:
  - the higher level of PCF charge for Legal Executives when compared to solicitors, especially when, over time, the former face a gentle, but sustained, upward cost trend as opposed to downward movement within the larger regulated solicitor community;
  - the apparent absence of evidence in budgetary papers over a sustained period of any easily achievable significantly business transformative or cost reducing measure such as to significantly reduce the unit cost base of the organisation – I should add that I make this point as a statement of the inherent difficulty of operating in a world which simultaneously brings high registration volumes and relatively infrequent but high cost disciplinary work. It is not in any sense meant as a direct or veiled criticism of the CRL Board's stewardship of their organisation;



- conversely, the upward pressure on unit costs necessitated by building an entity regulation offering and the failure of volumes in this area to develop. This is despite sustained marketing initiatives over a number of years, designed in part to reduce unit costs either by encouragement of more entities to be formed within and by current CILEX membership or by the transfer of other entities comprising individuals regulated elsewhere to receive entity coverage from CILEX.
6. Against this background, the questions for the Board to consider are:
- do these challenges arise from the performance of CRL or are they intrinsic to the current model and the challenges of the part of the sector it oversees?
  - if the latter, do these factors simply make CRL's operational task more difficult than one would ideally wish, but do not have a bearing on the long-term stability of the regulatory model?
  - conversely, are there longer-term pressures within that structure which do cause alarm, either because of the impact on financial viability overall or because of the threat to regulatory effectiveness and the discharge of the regulatory objectives?

### **Business Viability, Regulatory Independence and the Regulatory Objectives**

7. On the first of these questions, the LSB's verdict on CRL's performance and the general absence of adverse strategic comment on that from CILEX in the material I have seen leads me, as noted in section 3 paragraph 4 above, to share the conclusion in the Case for Change document and supporting Chair's letter that the challenges arise from the fundamental task facing CRL rather than from any inherent deficiencies in its management or governance.
8. The answer to the second question has to be more nuanced. To some extent, a regulator should, while seeking to maximise its efficiency and effectiveness, not be overly concerned by its cost base or questions of affordability: its mission is to do whatever is set out in its founding statutes or instruments in relation to its duties and public interest and market roles. Likewise, such documents will usually prescribe that the sector under the regulator's wing will, ultimately, have to "grin and bear" the costs placed on them by the regulator as part of their cost of operation, whether those costs relate to the funding of the regulator itself or, usually more importantly, the operational impact of the regulator's decisions.
9. However, that is a counsel of regulatory, if not commercial, perfection: in the real world, questions of financial sustainability do need to be considered in terms of the potential threats unsustainability may pose to wider objectives. From the material presented, it is clear that the financial situation of CRL is such as to potentially raise such concerns.
10. I note in particular:
- the failure to make the proposed PCF increase of 2% stick and the request that CILEX also find savings in order to reduce that increase to 0.8% – clearly this may in part be a function of the current tough economic climate, but a

world in which a regulator decides not to pass through a significantly below inflation increase to help deal with its own cost challenges is one where there is clearly a degree of threat to the model in the medium-term and, more immediately, an increasing risk profile, the mitigation of which will need to take proportionately more operational management time than in the past;

- as a corollary to that, evidence in CRL documents of a tendency to turn to CILEX for shared services rather than develop their own provision directly or through commercial arrangements, for subsidy to reduce PCF fees and for underwriting the cost of compensation arrangements in the absence of either sufficient market credibility and/or market volume to be able to find a commercial solution, are all indicative of the fact that the current regulatory model contains features which may lead to independence being weakened in the medium-term without very strong policing on both sides. This degree of financial and service dependency on CILEX is not desirable, but nor has any of the evidence presented to me suggested that it would be easy move away from it;
  - finally, the area, where sustainability concerns begin to tip into ones about effectiveness of the regulatory objectives is in relation to the scale and scope of activity that can be funded within the existing settlement. I have studied carefully the (very persuasive) "Making Justice Better" campaign materials and was struck by the fact that this work appears to have been wholly developed by the representative body. I see the reforms being sought as being directly related to regulatory objectives in relation to access to justice, competition and, arguably, public legal education. I therefore find the apparent absence of CRL participation, let alone leadership, in this work somewhat perplexing. Likewise, ensuring that there is proper understanding of CRL regulation by mortgage providers and therefore parity of esteem with SRA and CLC regulated firms also seems to me central to the regulatory function, although not something where involvement by the representative arm is illegitimate. (By way of comparison, the position of CLC firms within this market owes significantly more to lobbying of the financial sector by the LSB and CLC in the first half of the last decade than to anything done by individual firms or representative conveyancing bodies). Hence, the difficulties CRL faces in investing in such areas does potentially have an impact on competition and access to justice and, to the extent that Legal Executive-led entities are thereby disadvantaged, arguably to the diversity objective as well.
11. Such concerns about potential regulatory impact crystallise around the compensation fund and ability to hold client monies. I am conscious that this remains a live issue and that solutions are being explored even as I write. However, I suggest that it is intrinsically worrying when a regulatory proposal for a very interventionist model has ultimately derived from the regulator's difficulty in finding a market-based solution to underpin consumer protection rather than from market or consumer analysis. I understand the concerns from regulated entities submitted as evidence which point to the operational risk to firms arising from consumer service becoming more "clunky." But the proposal arguably also offends against better regulatory principles by taking a blanket approach when it might be reasonably assumed that only a very small minority of entities are ever likely to pose significant risk in relation to cash handling.

## The Market Impact

12. A related issue to consider is whether the regulatory costs of CRL are such as to limit price competition and so consumer welfare. This is mentioned in passing in the Chair's letter of 25 January, but not, so far as I am aware, elsewhere in the pack.
13. At first sight, I am not instantly persuaded that this is a powerful point, but there may be some analysis to be done in terms of looking at the impact of both the direct costs of the regulator itself and the cost of requirements placed by it on the cost base and how this plays out in consumer pricing. There is, however, nothing I have seen that would lead me to think that the effect is appreciable and therefore particularly relevant in the context of a wider review.
14. Of potentially more relevance is the question of consumer confusion and potential double jeopardy for individuals when operating under one regulatory regime at the individual level and a different one at the entity level. Again, however, this seems no more than a plausible hypothesis at this stage and one that would benefit from specific research, possibly involving both consumers and CILEX members, to better understand whether there are genuinely harmful effects in relation to the regulatory objectives or whether what is involved is no more than somewhat irritating complexity.

## Other Potential Evidence

15. In forming this assessment, I am conscious that I have not had the benefit of any detailed evidence or views from CRL as my terms of reference clearly hoped that I would. CRL have chosen not to engage at this stage.
16. In the expectation that cooperation might not be forthcoming at this stage, I was asked separately from my initial terms of reference to consider what kind of evidence might lead to a conclusion that a review was unnecessary.
17. Clearly making any such counterfactual assessment is fraught with difficulty, not least because of my lack of detailed up-to-date knowledge of the relevant market and of CRL's finances, operations, and governance. With that very significant caveat, my tentative view is that, given the consumer research findings and the information presented annual budgetary/PCF cycle, it is difficult to envisage *retrospective* evidence that would lead to a conclusion that the issue did not merit further scrutiny.
18. *Prospectively*, however, it is, possible to envisage that CRL may be able to produce a credible, targeted business plan, which demonstrates that current concerns can be addressed without more wholesale change by a combination of:
  - market analysis;
  - robust projections of individual membership and entity growth that are supported by evidence of a clear pipeline of Fellows and entities;
  - specific actions aimed at reducing unit cost without impacting regulatory efficiency.
19. I note that CRL's recent circular includes the following wording:

“As set out in our strategic plan, we will shortly be consulting on options to build on 100 years of independent professional development and regulation, which recognise and preserve the distinctive role of CILEX lawyers, contribute to greater competition in the consumer interest, and reduce the cost of the Practising Certificate Fee paid by CILEX practitioners.”

20. The wording of that reference suggests that the CRL document may well address at least some of the structural issues discussed in this section. However, it is not clear from this reference the extent to which it would address **both** policy ambitions and the business plan material I set out in paragraph 18. The more it addresses the latter, the greater its relevance to the issues covered in the report. It may well be that CRL would wish to access independent advice in producing such a document to provide assurance as to the realism of its ambition, the mitigations to be put in place to minimise the risks to its achievement and a credible timetable for action. Equally, CILEX may wish to seek similar independent assurance as part of its own consideration of future regulatory arrangements. But, in the absence of a timescale for the publication of this work or a fuller statement from CRL about its scope, this discussion can be no more than speculative at this stage.

## **Conclusion**

21. Taken together therefore, I conclude that there is sufficient evidence that the financial sustainability of CRL, whilst not threatening its viability in the very near-term or yet of such sufficient scale as to raise the spectre of conflict for Directors of CILEX between their overall fiduciary duties and their specific responsibilities in terms of making sufficient resource available for regulation, does raise concern about pressures on regulatory independence and failure to fully exploit the potential of the regulated community with potentially harmful effects on at least some of the regulatory objectives.

## **SECTION 4 – OVERALL CONCLUSIONS**

1. This section sets out my overall conclusions in the light of the analysis in the report as a whole.

### **Findings**

2. It is my assessment that:
  - subject to assuring themselves that their actions are compliant with the requirements of the Legal Services Act and relevant LSB rules and guidance, the CILEX Board do have a legitimate role as approved regulator in considering whether to undertake a review;
  - the fact that they are considering this step as a by-product of a larger piece of work on strategy in no way invalidates their ability to make such a decision;
  - there is no evidence that in the consideration given to the issue to date or the evidence presented to me that the motivation has been primarily that of a representative body, rather than the approved regulator;
  - CILEX's support for the principle of greater independence of regulation is both welcome and credible, but the extent to which any change in their current delegation would further the establishment of a single regulator is irrelevant for the purposes of current decision-making;
  - there is clear evidence that the nature of the task facing CRL, its current position in the market and those of the individuals and entities it regulates means that it is likely to face higher unit costs than other regulators for some considerable time, absent some form of comparative business transformation process so far not specified;
  - it is at least arguable that the effects of this structural problem will impact adversely on a number of the regulatory objectives and also potentially maintain and increase a financial dependence on CILEX as approved regulator which is potentially unhealthy in creating the right atmosphere of regulatory independence;
  - from the evidence currently available, it is rather easier to envisage adverse impacts on CRL regulated firms from the current position than on the consumers whom they serve. The extent to which any such effects exist and are substantial rather than trivial in nature may be one area for work as part of the envisaged wider review;
  - it is possible, but very far from certain on the current very limited information available about both scope and timing, that the envisaged strategic work referred to in the CRL Strategic Plan and recent circular, may be sufficient to allay concerns if it is sufficiently robust in its commercial and financial modelling.

3. In my overall judgement, therefore it would not yet be accurate to say that CRL's viability challenges yet constitute "a blazing platform", but the issues in relation to the compensation fund show that the impact is becoming increasingly real and, from the evidence I have seen, is beginning to weaken relationships between the regulator and regulated community.
4. Hence, I conclude that a wider review is justified.

### **Conclusion**

5. In conclusion I hope that this report is helpful in terms of both framing and advancing the debate and, in particular, that a way can be found to enable that debate to progress with greater collaboration and open-mindedness than has so far been the case. To the extent that such an open and collaborative debate can happen, the greater the likelihood that a final decision is more fit for purpose for practitioners, firms, CILEX and CRL staff and, above all, the users and consumers of legal services than would otherwise be the case.

**Chris Kenny**

**16 July 2022**

## **Terms of Reference**

### **Purpose:**

1. To provide independent assurance that there is a reasonable evidence base underpinning the decision by CILEX to review its delegation.
2. To provide a mechanism for CRL to respond to CILEX's consultation on the Case for Change via an independent third party, giving increased confidence to CRL that its evidence will be considered.

### **Objectives:**

3. To receive and review the evidence provided by CILEX in support of the conclusions captured in the Case for Change document.
4. To receive and review evidence provided by CILEX Regulation Limited and advise the CILEX Board whether it is material to the conclusions captured in the Case for Change document.
5. To produce a written statement advising the CILEX Board whether, having reviewed the evidence available as of June 2022, the Case for Change provides reasonable grounds for CILEX to seek to review its delegation.

### **Schedule**

The review will commence on Friday 10 June 2022 and conclude with submission of the written report to the CILEX Board week commencing 11 July 2022, for their consideration at the CILEX Board meeting on Wednesday 20 July 2022.

**Bundle 1 – Barriers to CILEX Lawyers improving justice system**

1. CILEX Summary Briefing – required changes in the legal system in support of recovery
2. Comparative Analysis of Pipeline Survey vs Solicitor Judiciary Data
3. Board Pack Barriers Case Studies
4. CILEX Barriers Changes Needed – Mapped to Reg Objectives
5. Briefing CILEX Lord Chancellor – October 2021
6. Letter from Dr Helen Phillips to CILEX and CILEX Reg 08.04.20
7. LSB Barriers Schedule
8. Simon Davis Letter 310320
9. EPA. LPA Interim Report
10. Mortgage Lender Panels – Which accept CILEX
11. Results of CILEX Member Survey 2021 – CILEX Barriers in the Legal Profession – GENIE Presentation

**Bundle 2 – Sustainability & Economies of Scale**

1. LSB letter to CILEX CRL Chairs
2. 2021 CRL Cost Transparency Statement
3. 2020 CRL Cost Transparency Statement
4. 2019 CRL Cost Transparency Statement
5. 2018 CRL Cost Transparency Statement
6. Para 6.4 re no appetite for inter-reg collaboration on shared services NEDs IGR Notes 28.06.2021
7. CILEX AR response to LSB IGR Consultation Jan 2019
8. CRL response to LSB IGR Consultation
9. Joint CILEX CRL Letter to Dr Helen Phillips LSB Final 261021
10. PCF – Letter to CB from JR 20 Sept 2021
11. 2022 PCF
12. 2017 – 2021 Trend Report for CRL Regulated Members
13. 3 Year PCF Trend Data
14. 2022 PCF Fee LSB Decision Notice
15. 2021 PCF Fee LSB Decision Notice
16. 2020 PCF Fee LSB Decision Notice

**Bundle 3 – Entity Regulation**

1. Original Practice Rights & Entity Regulation Application to LSB 2013
2. Status report re Entity Regulation CRL Board Papers 19 September 2018
3. Extract from CRL Risk Register 2018 – reference to entity issues
4. Status report re Entity Regulation CRL Board Papers November 2018
5. Status report re Entity Regulation Board Papers – February 2019
6. CRL Chair SY Letter to CB 050821 compensation fund
7. Re Compensation arrangements
8. 2022 CRL Consultation Compensation Fund Final
9. Comments from Entities on Client Protection Proposals May 2022
10. Copy of Letter to CILEX Board – BCM
11. Letter to CILEX – Holland Family Law



12. Sam Younger letter to David Edwards 30 March 2016 re Entity
13. Letter to CILEX Exec Board – East Devon Law
14. Alzheimer’s Society – Example of different treatment for CRL & SRA Entities
15. Nationwide letter 010222 – Example of non-recognition of CRL regulated firms & practitioners
16. Council Minutes 28 April 2016 re Entity Regulation
17. Council Minutes 16 May 2016 – Resolutions re Entity Regulation Redacted
18. CRL report to FRSC 040516 Compensation Fund update
19. Council Paper ML re Entity Concerns to LSB
20. SY letter to DE 25 April 2016 – Evidence that CILEX has been communicating concerns to CRL re entity since 2016
21. CRL letter to CILEX re Entity Concerns 2016 PB-C Letter to DE 290416
22. CILEX President to CILEX Regulation Chair 2016-04-05

#### **Bundle 4 – CILEX Strategy documents**

1. 2019 CILEX Statement re Independent Regulation
2. 2021 CILEX Manifesto for Change
3. 2021 – 2024 Strategic Priorities
4. Legal Futures Time for a new regulatory settlement – Legal Futures
5. Post Strategy Reflections – CB July 2021
6. Summary of CILEX Board Strategic Discussions Feb 2022

#### **Bundle 5 – Evolving Legal Landscape Contextual Documents**

1. Current Regulatory Framework
2. CILEX Response to CMA Review of Legal Services Market – Sep 2020
3. CMA Final Report Legal Services Review Dec 2020
4. Analysis of Stephen Mayson Independent Review of Legal Services Report 2020
5. Stephen Mayson Report 2020
6. Stephen Mayson IRLSR Supplementary Report 2022 FINAL 220413
7. Stephen Mayson – Keynote Speech reflecting on reactions to his 2020 Report
8. LSB The State of Legal Services Narrative Volume Final
9. LSB Strategy Business Plan 2021 – 22
10. LSB Final Business Plan 2021-2022 Final for Web
11. Consumer Panel 2020 Consumer Impact report FINAL