

Your views on the future - strategy 2020-2025

The Scottish Legal Complaints Commission (the SLCC) is pleased to be able to share views on the initial themes which the Law Society of Scotland (LSS) has identified. As we are currently developing our new strategy, we recognise many of the same drivers and contextual issues. The comments below are based on our work with LSS, in both our role as the single gateway for legal complaints, and in our oversight function.

Regulatory change

The document identifies the likely impact of changes to the regulatory framework for legal services over the next five years, and LSS continues to bring a strong voice to that debate. The theme identified in this paper is 'a strong and respected legal profession', and it's right that the LSS, as the representative body for solicitors, should bring that view to discussions. As part of that debate, we look forward to continuing to work with LSS, and other stakeholders, to consider how we can best protect and promote the public and consumer interests, and deliver a regulatory model that supports a well-functioning legal services market which is far broader and more complex than just relating to a single profession.

Alongside discussions about much needed broader regulatory change, we look forward to continuing to work constructively with LSS on medium term change to the existing complaints and redress processes.

Changes to the profile of the profession

We note that LSS has highlighted the changing profile of the profession as a key theme in its strategy, and we think this is a useful lens. The implications of this for legal regulation, particularly as discussions on reform continue, need to be fully considered.

Consumer needs and expectations

One theme we reflected on as part of our strategy development process was the impact of changing consumer expectations. We believe this might also be a useful issue for LSS to consider, given the likely impact on solicitors and their work, and therefore on the LSS's regulatory and support functions. While this is referenced briefly in the section on 'Changes to the profile of the profession and workplace expectations', our experience – and evidence from across the broader consumer landscape – is that consumer expectations are continuing to evolve, in terms of both the service they seek and the action and redress they expect when something goes wrong. This shift will need to be reflected in the training and support available to lawyers throughout their careers, as well as in the standards of professional service and conduct that are set for them, and for which they are held to account.

The LSS has identified the potential for the UK's ageing population to affect client needs, and therefore potentially the services and advice the profession might require. Age is just one of a number of factors which might impact on client vulnerability. The SLCC's Consumer Panel recently published a guide to help practitioners and regulatory bodies apply consumer

principles when designing services to meet the needs of consumers at risk of vulnerability. We believe this publication might helpfully inform LSS's thinking on how it discharges its regulatory duties in this regard, and in the support it offers to its members on this issue.

Technology

Finally, we note that technology has been identified as a key theme, and that accords with our analysis as part of our strategic planning. We are currently considering how we can best exploit the benefits of technology in our work, and we very much look forward to discussing the implications of this for the complaints process with LSS.

Again, it may be useful to consider technology from the consumer perspective too, in terms of what their expectations of lawyers will be around forms of contact, speed and transparency, and service provision.

We at the SLCC very much look forward to continuing this conversation with LSS as both organisations develop their new strategies, and in identifying areas where we might usefully work together to achieve shared objectives.