

Sole Practitioners Group: OLC strategy consultation response

Further to my attendance at the meeting in Victoria to discuss this strategy document, and after consideration by the Executive Committee of the Solicitors Sole Practitioners Group, I respond on behalf of our members as follows:-

1. We broadly support the objectives of the strategy document , in the aim to increase efficiency , speed and feedback on the process for the benefit of clients and service providers
2. It follows that we approve the extra budget proposed, on the proviso that those aims are achieved.
3. As discussed at the meeting, we are extremely concerned at the growth of unregulated bodies offering legal services.
4. Whilst these do not fall to be disciplined or censured in any way at present, we suggest that as they are clearly offering legal services to the public, these should be subject to your powers of investigation and recommendation, as well as publication of the results of any complaints.
5. You confirmed at the meeting that there are at present lacunae in possibilities of redress for consumers of unregulated legal services. In our view, the Ombudsman should be allowed to extend the ambit of your powers to plug any gaps in the legal market complaint process.
6. This is particularly important as consumers frequently have no idea whether the service provider is regulated or not at the point of service. In particular, the term 'lawyer' does not require any qualification at all, simply the act of providing the service.
7. This will even up the playing field for those of us struggling to accommodate an increasing burden of regulation, and therefore having increased costs which have to be passed on to the consumer, who is therefore more likely to choose a cheaper unregulated alternative and only discover they have no redress for any negligence or inadequate service after it is too late. This position is unfair on the regulated sector and the public.
8. The suggested widening of the Ombudsman's powers would lead to more potential income generation. This could not reasonably be funded by the regulated sector, but could be covered by unregulated bodies having to pay more at the point of Ombudsman's service, i.e. when a complaint is made.

We hope the above points are helpful in finalising your new Strategy, and I confirm that we will be ready to respond to any further discussions on this topic.