

## **LEGAL SERVICES CONSULTATIVE PANEL**

### **Job Description of members**

#### **Purpose and objectives of the Panel**

The Panel was established on 1 January 2000 under the provisions of Section 35 of the Access to Justice Act 1999. It has the statutory duty of advising the Secretary of State for Constitutional Affairs on the maintenance and development of standards in the education, training and conduct of persons offering legal services. The Panel also has a specific responsibility for considering applications from bodies wishing to be authorised to grant rights of audience or rights to conduct litigation to their members, as well as changes to qualification regulations and rules of conduct proposed by those authorised bodies. In fulfilling these duties, the Panel applies a number of principles that are central to the objectives of the Courts and Legal Services Act 1990 and the Access to Justice Acts 1999. These principles are:

- restrictions should not be placed on those exercising rights of audience, conducting litigation and developing new forms of practice, which cannot be justified in the public interest;
- insofar as it is consistent with the public interest, restrictions on competition within and between professions should be removed;
- insofar as it is practicable to do so, there should be a 'level playing field' between barristers and solicitors, in their ability to exercise rights to conduct litigation in all courts, and in their access to various forms of practice.

#### **Membership of the Panel**

The Panel comprises a Chairman and fifteen members, all of whom are appointed by the Secretary of State. There is no statutory requirement for members to be drawn from any profession and the majority of members are lay. However, given the knowledge and experience called for by the statutory criteria, some places are inevitable filled by members of the legal professions.

#### **Fees**

Members do not receive fees, but are reimbursed for travel, subsistence, and, where deemed appropriate, financial loss. They may also receive payment for specific items of work, such as the drafting of reports for the Panel.

#### **Main duties of members**

To:

- attend Panel meetings and meetings of sub-committees and working parties as required. Members will usually be required to set aside a half day per month for full committee meetings. Meetings will be held in central London.
- attend briefing visits as required.
- read papers in advance of meetings.

- contribute to the work of the Panel by, for example, writing papers and advice on applications for rule changes or authorised body status, commenting on draft letters, considering matters outside full committee and representing the committee in various fora.
- contribute effectively to committee meetings and consultation meetings.

### **Person specification**

To demonstrate:

- a substantial record of achievement in their own walk of life
- the ability to put forward and maintain an independent view and give consideration to others' views
- a high level of analytical ability in dealing with complex issues
- an ability to extract the essence of an argument from prepared papers
- an ability to assess evidence impartially
- sound common sense
- receptive to new ideas
- good team-working and leadership qualities
- an interest in the development of legal services
- an interest in legal education
- an interest in equality of opportunity for those connected with the provision of legal services

### **Statutory criteria for members**

The Secretary of State is obliged to take into account, when appointing members, the desirability of appointing people who have knowledge or experience of one or more of the following areas:

- the provision of legal services;
- the lay advice sector;
- civil or criminal proceedings and the workings of the courts;
- legal education and training;
- the maintenance of professional standards of persons who provide legal services;

- the maintenance of standards in professions other than the legal profession;
- consumer affairs
- commercial affairs; and
- social conditions.

In addition, the Secretary of State wishes to take into account knowledge or experience in the following additional areas:

- sectoral regulation
- the economic analysis of markets
- equal opportunities.