

UCL to lead major review of legal services regulation

An independent review into the regulatory framework for legal services in the UK is to be led by Professor Stephen Mayson (UCL Laws).

The independent review is intended to explore the issues raised by the Competition and Markets Authority (CMA) in its 2016 [market study](#), which concluded that the legal services sector is not working well for individual consumers and small businesses, and that the current regulatory framework is unsustainable in the long run. It called for a review of that framework to make it more flexible as well as targeted at areas of highest risk where regulation is most needed.

This review of legal services regulation therefore comes at an important time:

“In the light of Brexit, ‘taking back control’ presumes full confidence in our domestic rule of law and legal institutions, as well as maintaining our performance and competitive position in the global economy. The provision of effective and properly regulated legal services is critical to maintaining the rule of law, and the effective and efficient administration of justice. It is also necessary for sustaining the UK’s position and reputation as a world-leading jurisdiction for the governing law of international transactions and for the resolution of disputes,” said Professor Mayson.

For the review, which is being undertaken independently and with no external funding, Professor Mayson will be working with colleagues at the UCL Centre for Ethics & Law. He has a long-standing professional interest in the governance of law firms and legal services, and has been at the forefront of public debate on the regulation of legal services.

In 2015, he chaired the review by the regulators of the Legal Services Act 2007 and related legislation to identify, for the Ministry of Justice, potential options for legislative change. An advisory panel will also be appointed in the near future with a range of expertise across law, regulation and governance, ethics, business, economics and consumer matters.

The review’s objectives will be to consider how the regulatory framework can best:

- promote and preserve the public interest in the rule of law and the administration of justice;
- maintain the attractiveness of the law of England & Wales for the governance of relationships and transactions and of our courts in the resolution of disputes;
- enhance the global competitiveness of our lawyers and other providers of legal services;
- reflect and respond flexibly to fast-changing market conditions being driven by innovation and advances in technology;
- protect and promote consumers’ interests, particularly in access to effective, ethical, innovative and affordable legal services and to justice; and
- lead the world in proportionate, risk-based and cost-effective regulation of legal services, consistent with the better regulation principles.

In addition to reflecting these objectives, the scope of the review will include what and who needs regulating, who should regulate, the independence of legal services providers from both government and representative interests, and how best to avoid the inflexibility of the current regulatory framework.

“This review will consider how we can best ensure that our legal services remain of high quality and are effective and their regulation proportionate and fit for purpose. We also need to re-examine how to give the public much-needed transparency about the legal providers they use and the services they pay for, and ensure that they understand their options and the consequences of their choices.

“For instance, many people assume that if something goes wrong (say, with a will), they can seek redress. But current regulation doesn’t require all legal services, including will-writing, to be regulated or all providers to be professionally qualified, and therefore does not offer universal protection,” said Professor Mayson.

The review will seek to engage with a wide range of stakeholders, including the CMA, the Legal Services Board, approved regulators, front-line regulators, representative bodies, consumers, the judiciary, practitioners, and providers of legal education and training.

“We are delighted that Professor Mayson and UCL are launching this independent review of legal services regulation. It is important that the regulatory framework is as effective as it can be, given the vital role that legal services play in our society,” said Neil Buckley, Chief Executive of the Legal Services Board, the independent body responsible for overseeing the regulation of lawyers in England and Wales.

Professor Mayson aims to complete the review by the end of 2019, and present its conclusions and recommendations to the Ministry of Justice. The final report will also be made publicly available.

Notes to Editors

For more information or to speak to the researchers involved, please contact:

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The full terms of reference for the Independent Review into Legal Services Regulation are available at: <https://www.ucl.ac.uk/laws/news/2018/jun/ucl-centre-ethics-law-undertake-regulatory-framework-review>.

To enquire about the advisory panel, please contact: Professor Stephen Mayson at s.mayson@ucl.ac.uk.

More information about Professor Stephen Mayson: <https://stephenmayson.com/>

Stephen Mayson was called to the Bar in 1977 by Lincoln’s Inn (of which he is now a Bencher and chairman of its Regulatory Panel). After a period as a tax lawyer with a Magic Circle law firm, he developed an international reputation as a strategic advisor in the legal sector, working on a range of strategic, financial, ownership and governance issues. More recently, he has held a number of non-executive directorships and retained strategic advisory relationships with law firms and law-related businesses. Since 1992, Stephen has also held a number of professorships in the UK and abroad, and is presently Honorary Professor of Law at University College London. He has a particular interest in the regulation of legal services, and recently chaired a review by the Legal Services Board and front-line regulators of the Legal Services Act 2007 and options for future change in the regulatory framework.

About UCL (University College London)

UCL was founded in 1826. We were the first English university established after Oxford and Cambridge, the first to open up university education to those previously excluded from it, and the first to provide systematic teaching of law, architecture and medicine. We are among the world's top universities, as reflected by performance in a range of international rankings and tables. UCL currently has over 39,000 students from 150 countries and over 12,500 staff. Our annual income is more than £1 billion.

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About UCL Centre for Ethics & Law

The UCL Centre for Ethics and Law works at the interface between law and ethics. The Centre provides a focus for thought leadership, organises a programme of events for engaging with and challenging business and professional approaches to ethics, conducts theoretical and applied research including funded postgraduate research opportunities and teaches undergraduate and postgraduate courses with strong ethics components.

We aim to encourage ethical reflection, awareness and positive change through teaching, research and stakeholder engagement with the public, policy makers, regulators, practitioners and academics.

The Centre for Ethics & Law, UCL: <https://www.ucl.ac.uk/ethics-law/>