



LEGAL SERVICES
BOARD

Ongoing competence in the legal profession

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Who are we

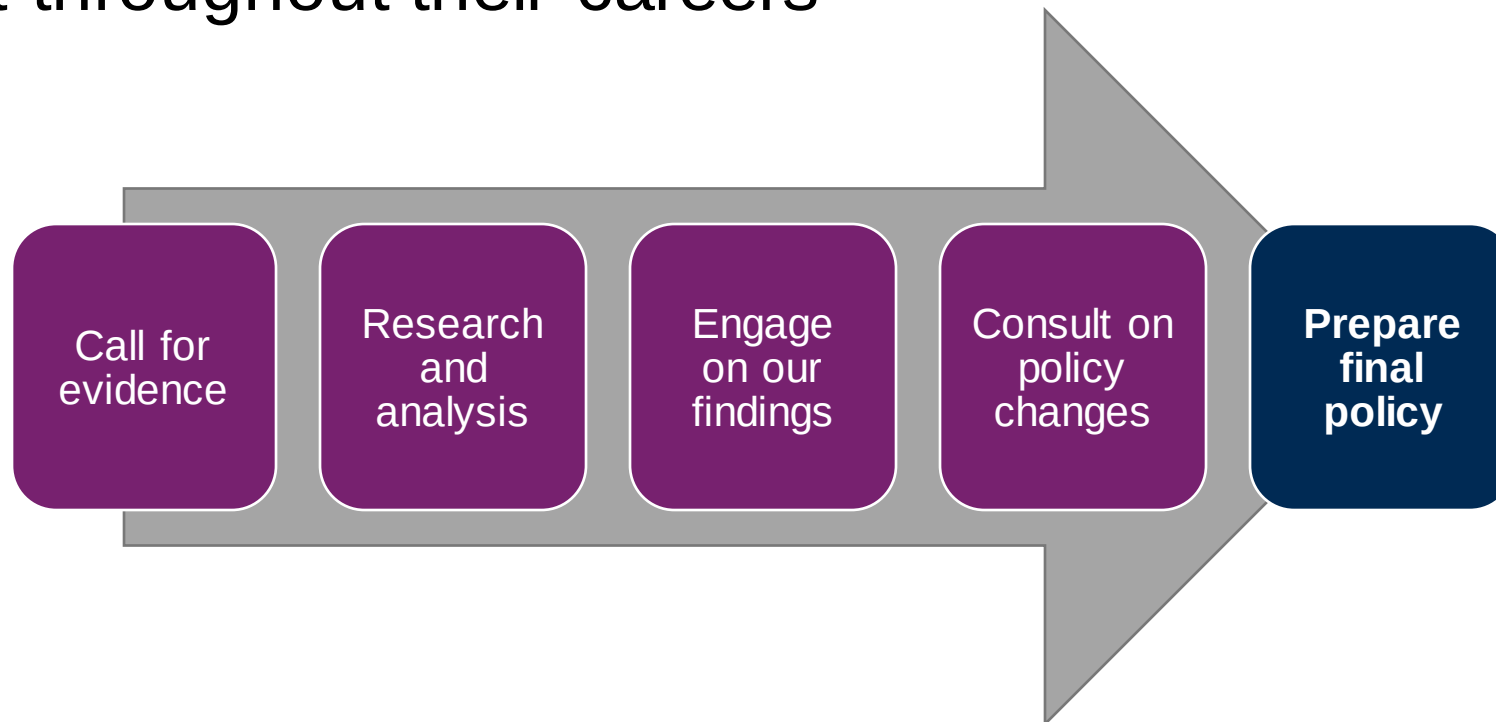


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Ongoing competence project

Aim: to explore whether legal regulators have the right frameworks in place to ensure that the professionals they regulate remain competent throughout their careers



Overseas research

- Commissioned research into approaches to assuring ongoing competence in legal services outside England and Wales
- Some jurisdictions taking first-principles approach
- New approaches of interest in Netherlands, Australia and Canada



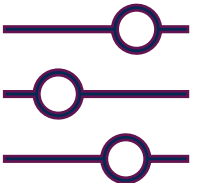
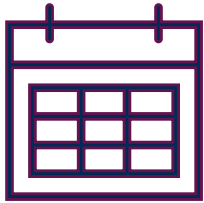
International Approaches to Ongoing Competence

A report for the LSB

Hook Tangaza

March 2021

Overseas research – CPD



- CPD the most common tool across jurisdictions but questions about its effectiveness
 - What is it trying to achieve?
 - Is it a tick-box exercise?
- Some new approaches
 - Linking more specific CPD to type of practice and role
 - Linking to career stage
 - Cover wider areas e.g. practice management, professional ethics



- The public thinks there are too many gaps in the existing system. They are concerned that the current CPD requirements are patchy.



- 79% of participants in our survey thought that there should be more specific rules for checking legal professionals' competence throughout their careers.



- 95% said that legal professionals should have to *demonstrate* that they remain competent.

Case for change

- **Consumers expect that regulators do more.** Ensuring lawyers' competence is key to protecting the interests of consumers and driving greater trust in the legal system.
- **It is in regulators' remit** to ensure the ongoing competence of the legal professionals they regulate.
- **Other regulators take a more robust approach** that we can learn from (other professions, jurisdictions).

LSB expectations

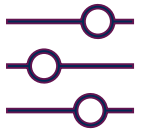
Regulators should:



- Set the standards of competence



- Regularly assess and understand levels of competence



- Make appropriate interventions to ensure standards of competence are maintained



- Take suitable remedial action where necessary



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Thank you

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