

## **Council report 15 July 2020**

The Law Society Council met remotely once more on 15 July. The discussions focused on the work being undertaken to support our members through the Covid 19 crisis and the work to strengthen the ability of the Society to support our members in the most effective way possible.

### **Covid-19 policy work**

Covid 19 is having a profound impact on Solicitors and the future shape of the profession.

Council heard how the Law Society's membership and policy teams have continued to address urgent issues as well as looking forward to the longer-term impacts on members, their businesses, access to justice and the rule of law. We announced the release of the 'Return, Restart, Recover' campaign.

### **Access to justice**

As with practically every other area of work, the pandemic has dominated and we have focused on member safety and business support. Positive moves included the protocol to ensure that our members' safety in police stations has been embedded in the Police and Criminal Evidence Act codes which gives the protocol added force.

Courts are now required to complete a risk assessment and make it available to users. We are working with HM Prisons and Probation service on how face-to-face prison visits can be safely restarted as well as with the judiciary and other stakeholders on increasing the number and type of face-to-face hearings that can be held in courts.

Meanwhile we are monitoring the longer-term effects of the pandemic on access to justice and the rule of law and contributed so far to inquiries by the Women and Equalities Committee on the impact of people with protected characteristics under the Equality Act, the Housing, Communities and Local Government Committee on homelessness and the private rented sector, and the Joint Committee on Human Rights inquiry on the human rights implications of the Coronavirus Act 2020.

### **Covid Business support**

Among other issues, we have been focused on the accessibility of existing support measures for members – as well as pushing for additional support. We have produced and contributed to guidance to support members in many aspects of running their business during the pandemic including guidance on return to the office and virtual execution. On crucial issues relating to legal aid firms and business rates we have not seen the sort of support from the Ministry of Justice that we would have liked. So, we have stepped up communications highlighting the issues and criticising the failure to act.

### **Criminal and Legal Aid**

One of the things we have pushed for in the context of the support legal aid firms need during the pandemic is the restarting of the pre-existing Criminal Legal Aid Review (CLAR) and work on civil sustainability. We have had meetings with officials to discuss both issues. We have also engaged with the Legal Aid Agency. Meanwhile the stay on possession hearings has been extended until the end of August and the Law Society is currently in talks with the relevant bodies about making legal aid available for tenants once hearings restart.

**The professional body for solicitors**

## **HMCTS**

The court service is conducting an evaluation of the rapid roll-out of technology as a result of the pandemic. We are on a working group overseeing this.

## **Public Affairs**

Council was told of successes in our parliamentary and public affairs work, with the Law Society and its campaigns mentioned in Hansard 17 times and 32 times on social media. The team organised high-level stakeholder engagement on our priority issues with:

- The lord chancellor Robert Buckland QC
- the justice minister Alex Chalk
- profession and business services minister Nadhim Zahawi
- EU committee chair Hilary Benn
- shadow justice secretary David Lammy
- shadow attorney general Lord Falconer
- Lib Dem justice spokesperson Daisy Cooper and
- chair of the housing, communities and local government committee Clive Betts.

Law Society president Simon Davis made written representations to the lord chancellor, chancellor and housing secretary on legal aid firms, business rates and access to justice.

## **Regulation**

In addition to our Covid work, work on regulatory issues has continued including influencing in relation to the SQE, engaging on the economic crime levy and responding to the Mayson report as well as preparing to engage on the LSB's three-year strategy.

## **Wales**

Our response to 'Making Justice Work in Wales' welcomed the Thomas Commission's long-term vision for the future justice and noted that as the body of Welsh law grows, it is important that due consideration is given to the distinct needs of the Welsh public and the legal profession in Wales.

## **International Rule of Law**

The team has been very active during the Covid period – work has included a joint statement on Hong Kong and a statement on Egypt delivered before the UN human rights council. He also gave oral evidence to the EU services subcommittee of the House of Lords.

## **Governance**

Robert Bourns, the chair of the Law Society Board, was confirmed in post for a further three years and, that business concluded, much of the remaining time was devoted to the work the Law Society has been doing to support the solicitor profession through the Covid-19 crisis.

One of the effects has been to postpone the annual general meeting (AGM) until October when we hope life will have returned to something more like normality, and to ensure continuity of leadership during this time. Simon Davis will therefore stay as president until then. Of course, that also has implications for council elections which have also been moved back, such that new Council members will take office at the AGM.

Also that month, council will elect a new deputy vice president – the nomination process for which has already concluded – and the existing office holders will each move up a rung as Simon Davis steps down. As he remarked – by then not only the longest serving president but the one who has spent most time working from a spare room.

### **Internal Governance Regulations (IGR)**

A compliance statement on the alterations to our regulatory arrangements has now been submitted to the Legal Services Board. Council also agreed further amendments to our General Regulations, which will shortly be published on the website, strengthening the governance support provided to our Board, and confirming the agreed terms of reference of the Membership and Communications Committee. IGR compliance work continues with training implemented for staff and developed for council and committee members as we move toward the establishment of the Solicitors Regulation Authority as an incorporated sub-entity with the Law Society Group.

### **New website**

The development of our digital platform continues.

My Law Society (MLS) and our new website are now live. We will be encouraging existing MLS members to set a new password. The new system has a simpler registration journey and will allow us to generate better data so content can be more tailored and targeted.

Meanwhile the beta launch of ‘Law Society Learning’, our new Learning Management System (LMS), will continue over the summer. The LMS hosts brand new bite-sized learning modules as well as full digital risk and compliance accreditation.

We continue to operate in a very challenging period for the profession and the public. Our efforts on their behalf must continue relentlessly