



Citizens Advice Northern Ireland
Regional Office
11 Upper Crescent
Belfast
BT7 1NT

Central Support Division
Department of Finance and Personnel
Room P8
Rathgael House
Balloo Road
Bangor
BT19 7NA

Dear Mr Martin

Re. Consultation on regulation of Legal Services in Northern Ireland.

Thank you for giving us the opportunity to respond to the above consultation.

Citizens Advice is the largest advice charity in Northern Ireland working against poverty, and meeting the advice needs of some 220,000 people per year. The Association has formal links to CAB in England & Wales and close working relationships with Citizens Advice Scotland. Together the three Associations constitute the biggest advice network in Europe with 60 years experience of giving advice and information to the public.

Citizens Advice Bureaux and other advice agencies form part of the network of legal services directed at gaining access to justice. Nearly all the work of bureaux is about helping people to safeguard their legal rights, either through their own work or by directing clients elsewhere. Law is no longer seen as the monopoly of courts and lawyers. CABx in Northern Ireland deal with over 5,500 legal enquiries each year which illustrates this point. Bureaux provide representation at social security and disability appeal tribunals, small claims court and in housing and money advice cases at the magistrates and county courts.

Provision of more complex advice by bureaux has greatly increased, as shown by the larger number of paid specialists now employed by bureaux, and by the more complex work taken on by many volunteers.

At the same time, the legal profession has developed a greater degree of specialisation. The bureau will normally have its own list of local solicitors or can easily access the NILSC website for a full list of solicitors. It would

however be preferable to have an equivalent to the Community Legal Services directory currently in England and Wales.

There are a number of points which we would like to mention with reference to the current procedure in Northern Ireland and the proposed changes.

We welcome the point made in 2.9 of the consultation that a fair transparent and effective judicial institution is essential for the protection of citizens against any arbitrary use of state authority and lawless acts. We also welcome the consumer considerations raised in 2.11 as there is evidence that consumers are possibly not informed enough about resolving disputes or have no faith in the system regarding resolving disputes.

Statistically Northern Ireland receive less complaints than Great Britain however it is interesting to note that the data compiled by NISRA regarding the complaints received by the Law Society only constitutes 25% of people who expressed a level of dissatisfaction with the service provided by their solicitor. We find it alarming that the level of dissatisfaction with the service provided by solicitors was measured at over 11%.

We would welcome any changes made to offer clients in Northern Ireland compensation as pointed out in 3.10 as currently the role of the Lay Observer has no such powers for this provision. We would endorse any shift at providing the Lay Observer with more powers and feel that a model similar to the Northern Ireland ombudsman/Commissioner for complaints would be more appropriate.

Section 4.9 refers to the legal services complaints commissioner in England and Wales which has the power to set performance targets and recommendations for improving complaints handling. This is an element that Northern Ireland lacks and we would welcome an equivalent model in operation in the future. We would also commend Clementi's proposed solutions regarding a single independent complaints handling body.

Citizens Advice would welcome any reforms proposed for extending privileges to a relative of the client being able to initiate a complaint as described in section 5.20 as again this constitutes a significant amount of potential complaints that were not possible to lodge.

Given the fact that licensed conveyancers operate in Great Britain we see no reason why this should not happen in Northern Ireland as this would create a better choice and potentially value for money for clients.

If there are any issues arising from the comments made, or the need for any further clarification on any points, please do not hesitate to contact me.

Yours sincerely

Lucy Cochrane
Information and Policy Officer

