



**CONFIDENTIAL MINUTES OF THE MEETING OF  
THE BOARD OF DIRECTORS OF CILEx REGULATION LIMITED  
HELD ON 10 MAY 2023**

**Present:**

Jonathan Rees (Chair), Helen Astle, Alice Belcher, Douglas Blackstock and Patricia White

**In attendance (CILEx Regulation):**

Victoria Purtill, Acting Chief Executive Officer  
Robert Morris, Interim Chief Executive Officer  
David Pope, Director of Operations  
Simon Blandy, Director of Governance  
Beccy Snape, Personal Assistant (minutes)  
Michelle Drury, Finance Manager (item 6 only)  
Michael Stacey (item 8 only)

**1 Welcome and Apologies**

The Chair opened the meeting. He welcomed Patricia White to her first meeting as a Board member and Robert Morris to his first meeting as Interim Chief Executive Officer. There were no apologies for absence.

**2 Declarations of Interests**

No other declarations of interests were made in addition to those already included on the register of interests.

**3 Minutes of previous meetings and action log**

The Chair introduced the item for the Board's approval and the following updates were provided on actions arising:

- **REDACTED**

The Board:

- Approved the minutes of the meeting of 23 February 2023
- Approved the minutes of the meeting of 9 March 2023
- Approved the minutes of the meeting of 22 March 2023
- Approved the minutes of the meeting of 12 April 2023
- Approved the action log for publishing and agreed that completed actions would be removed.

**4 Chair's update**

**PRIVATE DISCUSSION**

**5 Acting Chief Executive's Report**



The Chair introduced the Chief Executive's Report and asked the Acting CEO to present the paper.

The Acting CEO asked the Board to note the report that had been divided into two sections. Section one provided an update on key activities across the organisation since 23 February 2023. Section two covered strategic performance and education matters.

In addition to the report, the Acting CEO updated the Board as follows:

- The LSB had begun to schedule meetings with regulators to advise on how the new process for regulatory performance assessment would work, ahead of the commencement of the new performance framework which would take effect in 2023. The LSB would begin asking for evidence from June 2023.
- At the recent Relationship Management meeting CRL provided the LSB with an update on a range of matters including the higher rights application, compensation fund arrangements and Institute of Paralegals work. The LSB confirmed that its business plan 2023-24 had been agreed by its Board and published.
- The Consumer Engagement Officer attended the Legal Services Consumer Panel Standardisation of Consumer Information Roundtable on 20 April 2023. The Director of Governance confirmed he would complete an evaluation of the Transparency Rules by the end of Q3 2023 to ensure changes were effective and identify any further improvements.

## **PRIVATE DISCUSSION**

### Education Standards

CRL had met with external advisors to ensure the frameworks for higher rights were acceptable for point of entry and lifelong learning. Small changes to the probate framework were required and would be incorporated into the rule change application for ongoing competence. CRL would consult with the CPS at the request of the Ministry of Justice. It was likely that Crown Prosecutors would require rights that were activity rather than role based to enable them to fulfill their role. The application would be submitted in Q4 2023, following the consultation in Q3 2023. CILEX and CRL had both promoted higher rights of audience to CILEX members.

The Board noted whilst higher rights would not benefit the whole of the regulated community this was not in itself a sufficient reason not to provide CILEX members with the opportunity to qualify as Higher Rights Advocates.

The Chair highlighted the following action:

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- 34/23 the rule change application for ongoing competence would incorporate small changes to the probate framework
- 35/23 as requested by the Ministry of Justice CRL would consult with the CPS prior to publication of the Higher Rights Consultation

- 36/23 the timetable for the year be expanded to include the PCF and higher rights consultations.

The Board **NOTED** the report.

## **6 Finance Update**

### **PRIVATE DISCUSSION**

The Board **APPROVED** the option to consult on the 2024 PCF budget applying the same considerations as used for the 2023 PCF budget.

## **7 Director of Operations Report**

The Chair introduced the item and asked the Director of Operations to present the paper.

The Director of Operations summarised the report which provided an update on the work of the Operations Directorate undertaken since the last meeting.

The Director of Operations added to the report:

- The most significant change had been the recruitment of the new Practitioner Authorisation and Supervision Manager, who started on 2 May 2023 and had settled in well. Several successful engagement meetings had taken place with staff to share information and provide reassurance following the departure of the previous Practitioner Authorisation and Supervision Manager and resignation of the Acting CEO. Some minor rule changes had been identified and would be submitted to the LSB either as exempt directions or technical rule changes.
- Board members noted the positive response from the WBL assessors to the new fees.
- The ULaw courses delivered at the end of 2022 and in April 2023 received positive feedback. Applicants had been put forward for the July 2023 course and course dates now extended to the end of 2024. ULaw had provided a video to assist candidates with reported technical issues, which would be circulated and added to the CRL website.
- CRL had received notification of ministerial support for DPB, so arrangements were now being made by HM Treasury for the relevant statutory instrument to be drafted.
- Firm numbers remained at 19. It was anticipated that no further applications would be received until CRL was able to move forward with law firm in a box.
- CRL had provided OPBAS, at its request, with reassurance on resourcing, communications and relationship status with CILEX, following publication of the LSB investigation outcome. OPBAS were content with CRL's AML supervision arrangements.
- Steady progress continued to be made in enforcement. Prior conduct numbers continued to decline, and older cases had now been reviewed by the team.
- The enforcement team had begun a review of its processes and consumer information, FAQs had been updated on the website, along with a new complaint process flow chart. The triage process had been documented and included use of



the risk matrices. The enforcement review was on track to be completed by Q2 2023.

## **REDACTED**

The Board **NOTED** the report.

## **8 Legal Advice**

### **PRIVATE DISCUSSION**

## **9 Director of Governance Report**

The Chair introduced the item and asked the Director of Governance to present the paper.

The Director of Governance asked the Board to note the report that provided an update on the work undertaken in the Governance, Policy and Legal Directorate since the last Board meeting.

The Director of Governance advised Board members that there had been a small change to the update relating to the rule of law and professional ethics. The LSB had now published a call for evidence on Non-Disclosure Agreements.

The stakeholder engagement report did not include communications related to the publication of the LSB investigation, though there was nothing of note to report. It would be useful to compare the extent of engagement arising from publication of the LSB investigation with that arising from publication of the Future of Regulation consultation.

The Chair queried the EDI questionnaire and whether this raised a concern in terms of the LSB work. The Board were reassured that CRL was in a good position with regards to the assessment against the policy statement.

The Board **NOTED** the report and actions identified.

## **10 People Strategy Review**

The Chair introduced the item and asked the Acting CEO to present the paper.

The Acting CEO began by updating Board members on staff reaction to the outcome of the LSB investigation. Some staff viewed the report as being overall more critical of CRL than had been anticipated and were disappointed that CILEX had been given the go-ahead to continue with their plan. Staff had also been discomfited by the impending departure of some members of staff. The Executive had reassured staff on both concerns and the Interim CEO had had introductory meetings with all staff members.

The Acting CEO provided the Board with an update from her discussions with the CILEX CEO in relation to CRL's staffing, which had taken place after the Board paper had been drafted. The CILEX CEO had provided written assurance to the Acting CRL CEO that in the



event that regulation transferred to the SRA, CRL staff at manager level and below would be offered a post at CILEX on the same employment terms, should there not be an option to TUPE to the SRA.

A staff meeting had been scheduled for Thursday 11 May 2023 to update everyone on the outcomes of the Board meeting, including confirmation from CILEX about future employment.

The Board was asked to consider the new organisation structure to inform the 2024 PCF budget and options to amend the CRL's current structure to ensure there was sufficient capacity for CRL to manage the proposed changes to its regulatory arrangements. This included recruitment of a Head of Education and a Champion to promote the recognition of CLEs in the market. The Board agreed to the following changes subject to an amendment to the Champion job title to make it more specific.

- Remove the COO role,
- Create a Head of Education
- Create a Champion appointment to take effect from January 2024,
- Remove the Junior Policy Officer from the structure, and
- Retain [NAMES REDACTED] for PR and HR respectively.

## PRIVATE DISCUSSION

The Board:

- **AGREED** the approved structure for 2024
- **AGREED** amendments to CRL's proposal for changes to its regulatory arrangements
- **AGREED** to discuss staff retention at its July meeting.

## 11 Legal Technology Review

The Chair introduced the item and asked the Director of Governance to present the paper.

The Director of Governance summarised the report which provided an update on progress made to date and proposed activity for 2023. Regulators had adopted a cautious approach to legal technology whilst the risks were not yet fully understood.

The legal regulators' forum had announced several research projects. These offered CRL the potential to understand better the management of risk so it could most effectively influence innovation and innovators to improve access to legal services, subject to appropriate mitigation for the benefit of consumers.

The Board agreed that collaborating on a research project would be a sensible way to be involved with legal technology given CRL's resource and finances.

The Board:

- **NOTED** the report
- **APPROVED** the proposed activities for 2023

- **APPROVED** the provisional contribution **REDACTED** to be taken from operating reserves to research project to be commissioned by the Legal Regulators Forum.

## **12 Annual Review of Governance Framework**

The Chair introduced the item and asked the Director of Governance to present the paper.

The Director of Governance provided an overview of the suggested changes to the governance documents, which were largely updates to language, as well as recognition of remote meetings.

The Board suggested removing the word ‘immediately’ from the Terms of Office in Standing Orders to allow for a further extension of a year following the end of the six-year term for Board members.

The Chair thanked the Director of Governance for the clear and precise work on updating the governance documents.

The Board:

- **NOTED** the report and **APPROVED** the amendments proposed to the governance documents.

## **13 Annual Cycle of Business**

The Chair introduced the Annual Cycle of Business 2023. The document would be updated so the lead officer referred to job role rather than individual person. The Board would receive a full report on Legal Technology and EDI annually, with a short update in the Director of Governance report at each meeting.

The Board **NOTED** the annual cycle of business.

## **14 Confirmation Papers Can Be Published**

The Board confirmed they agreed with the proposals for papers to be published.

## **15 Any Other Business**

The Chair noted that this was the last Board meeting for the Personal Assistant, thanked her for her service for the past seven years and made a presentation.

The Chair further noted that this was the last meeting for the Acting Chief Executive Officer. On behalf of the Board the Chair thanked the Acting Chief Executive Officer for all her hard work and dedication in various key roles both at CILEX and CRL over the previous 11 years. The Chair made a presentation. The Acting Chief Executive Officer thanked the Chair and the Board for their kind words.

There was no other business.

**Jonathan Rees  
Chair of the Board**