



**International Conference of Legal Regulators
Thursday 5 & Friday 6 September 2019
Waldorf Astoria Edinburgh, Edinburgh, Scotland**

**ICLR 2019: upholding standards, embracing innovation,
sustaining trust**

Legal regulators face new challenges from a rapidly changing world, which is exerting new social and political demands on the legal services sector and altering the dynamics within the profession itself.

This 8th International conference of legal regulators will provide the opportunity to step back from the day-to-day concerns of regulation and look strategically at some of the significant trends that are emerging in different jurisdictions. It will also offer participants the chance to reflect on how they can continue to perform their core regulatory tasks, of upholding standards and sustaining trust, whilst being flexible and responsive to the changing world around them.

We look forward to warmly welcoming you to Edinburgh in September

Social Programme

Wednesday 4 Sept: Drinks reception – Parliament House from 6pm

Thursday 5 Sept: Dinner – Waldorf Astoria, Edinburgh from 7pm

Friday 6 Sept: Farewell drinks reception, Waldorf Astoria, Edinburgh



DAY ONE

- 08:15** **Registration, exhibition and refreshments**
- 09:00** **Please take seats in plenary**
- 09:05** **Welcome remarks**
John Mulholland, President, Law Society of Scotland

SESSION ONE: Introduction to ICLR 2019

- 09:15** **Introduction**
Conference Chair, David Lee
- 09:20** **Opening Keynote**
Ash Denham MSP, Minister for Community Safety, Scottish Government
- 09:40** **Questions for Minister**
- 09:50** **Plenary panel: Changing nature of regulation in tech-led world: future challenges and opportunities**
Moderator: David Lee
Speakers:
Anna Bradley, Chair, Solicitors Regulation Authority
Dr Heike Lörcher, Head of International Relations, German Federal Bar
Professor Mari Sako, Said Business School, University of Oxford (tbc)
- This session will join by video-link with TechLaw Fest, Singapore**
www.techlawfest.com/
- *National and supra national regulation*
 - *Sectoral regulation*
 - *Interdisciplinary challenges*
- 11:05** **Refreshments, exhibition and networking**



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SESSION TWO: Assuring competence

What are the indicators that the consumers of legal services can use to distinguish the good lawyer from the ineffective lawyer? What steps can a regulator reasonably take to distinguish the ineffective lawyer before harm is done?

11:25

Workshop A1: Consumers and clients in the modern age

Moderator: Jerry Larkin, Attorney Registration & Disciplinary Commission, Illinois

Speakers:

Kerrie-Anne Millard, Legal Services Board & Commissioner, Victoria

Steve Brooker, Legal Services Board, England and Wales

Carol Brennan, past Chair, Scottish Legal Complaints Commission

Consumer Panel

- *What do consumers want from their legal services providers?*
- *Conducting a consumer needs survey*
- *The growing pressure of client expectations*

11:25

Workshop A2: Models of legal regulation

Hosted by Law Society of Scotland

Moderator: David Lee

Speakers:

Professor Stephen Mayson, leading Independent Review of Legal Services Regulation

Stephan Göcken, Executive Director, German Federal Bar

Frederica Wilson, Executive Director & Deputy CEO, Federation of Law Societies of Canada

- Regulation and independence
- Entity and market regulation
- Role of the state
- Access to justice

12:15

Transition between workshops



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12:20

Workshop B1: Trust and transparency

Moderator: Jane Malcolm, Director of External Affairs, Solicitors Regulation Authority

Speakers:

Catriona Watt, Association of Regulatory & Disciplinary Lawyers;

Mary Ollivier, Director, Regulatory, New Zealand Law Society

Niels Hupkes, Manager Policy & Regulation, The Netherlands Bar

- *Price transparency*
- *Winning confidence*
- *Complaints and publication of findings*

12:20

Workshop B2: Regulating in uncomfortable spaces

Moderator: Victoria Rees, Director, Professional Responsibility, Nova Scotia Barristers Society;

Speakers:

Ellyn Rosen, American Bar Association, Regulation and Global Initiatives Counsel;

Iain Miller, Partner, Kingsley Napley LLP and Chair of Association of Regulatory and Disciplinary Lawyers

Rebecca Magorokosho-Musimwa, Regulatory Services Manager, Law Society of Zimbabwe

As recent events have shown, regulating the conduct of lawyers who serve as elected politicians or in public office, as well as those who provide legal services to others in public office, is a minefield. It is a challenge to properly balance the interests of the public, lawyers and the administration of justice when potential ethical violations occur. This workshop will provide practical case-based guidance (including a take-away you help develop) on:

- i) What factors should regulators consider when assessing risk and determining when/ whether to take action in these circumstances?
- ii) How can regulators effectively balance all relevant interests when engaged in these assessments/investigations?

13:10

Lunch and networking



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SESSION THREE: Changing nature of the profession

The nature of the profession is changing. Deeper thought and consideration is being given to issues around equality & diversity; emerging white collar crime; enhanced co-operation cross border/jurisdiction; and the importance of wellbeing. Regulators are increasingly determining part of their role to be advocates for that change. This session will address some of these broadening areas and ask what good regulation looks like, and what levers regulators have to affect change in a positive way?

14:05 **Workshop C1: Equality and diversity**

Moderator: Fiona McLeay, Legal Services Commissioner and CEO, Victorian Legal Services Board

Speakers:

Sara Carnegie, Director, Legal Projects, International Bar Association
Zelda Perkins, Campaigner and formerly Weinstein Company

- *Me Too and sexual harassment*
- *Make up of the profession*
- *Role of the regulator*

14:05 **Workshop C2: Extra curricular lawyers – where do the boundaries of regulation lie?**

Moderator: (tbc)

Speakers:

Sara Jagger, Director of Professional Conduct, Bar Standards Board
Alvin Chen Yi Jing, Director, Legal Research and Development, Law Society of Singapore
Prof Laurel S. Terry, The Pennsylvania State University

- *Separate business interests*
- *Social media*
- *Lawyers on lawyer selection platforms*
- *Gig economy lawyers*

14:55 Transition between workshops

15:00 **Workshop D1: Combating Financial Crime**

Moderator: Ian Messer, Director of Financial Compliance, Law Society of Scotland;

Speakers:

Sarah Wheeler, Manager, OPBAS, Financial Crime Advisory and Transformation
Cathy McKay, Law Society of Northern Ireland
Motlatsi Molefe, Attorneys Fidelity Fund, South Africa

- *Learning outcomes/themes tbc*



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- 15:00 **Workshop D2: Wellbeing and good mental health in legal profession**
Hosted by Law Society of Scotland
Moderator: David Lee
Speakers: Stephanie Spiers, Federation of Law Societies of Canada
Peter Lawson, Chair, Burness Paull
Ciara Murphy, Chief Executive, The Bar of Ireland
- *Learning outcomes/themes tbc*

15:50 **Refreshments**

SESSION FOUR: Drawing the threads together

16:05 Plenary panel: Day One Review and Outcomes

This panel will aim to draw together lessons from each workshop and set the scene for Day 2, which will focus in more depth on how innovation might affect the traditional tasks of the legal regulator.

One member of each breakout will join plenary panel to highlight the key issue identified in workshops and explain why delegates/regulators should take this away from conference.

16:05 Workshops A & B

16:35 Workshops C & D

17:05 Keynote: Lord President

Rt Hon Lord Carloway, Lord President of the Court of Session

17:25 Questions for Lord President

17:35 Close of Day One conference

19:00 Conference Dinner

Waldorf Astoria



DAY TWO

SESSION ONE: Rethinking legal regulation for the age of technology

09:25

Introduction

Conference Chair, David Lee

09:30

Plenary panel: A compass for change?

Moderator: David Lee

Speakers:

Prof Alan Paterson, Professor of Law, University of Strathclyde

Paul Philip, Chief Executive, SRA

Judith Gundersen, President, National Conference of Bar Examiners

- *Assessments and measurements*
- *Quality and competence*
- *Modernising regulation*
- *Raising standards and improved outcomes*
- *Proportionate regulation*

10:15

Transition to breakouts

10:20

Workshop A1: Encouraging innovation in legal services provisions via tech

Moderator: Joan Janssen, Director of Legal Services, Ministry of Law, Singapore

Speakers:

Sarah Sutherland, Director Programmes and Partnerships, CanLII

Ivan Mkanov, President, Lexum;

John McKinlay, Convenor Technology Law and Practice Committee, Law Society of Scotland

- *Digital content*
- *Big data*
- *Overcoming resistance to change*
- *Artificial intelligence and regulation*

10:20

Workshop A2: HELP!! – Bringing Regulatory Reform of Legal Services Delivery to the New World

Moderator: Bridget Gramme, Administrative Director, Center for Public Interest Law, University of San Diego School of Law;

Speakers:

Justice Deno Himonas, Utah Supreme Court;



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Art Lachman, co-chair, Association of Professional Responsibility Lawyers' Future of Lawyering Committee and attorney in Washington; Jayne Reardon, Executive Director Illinois Supreme Court Commission on Professionalism.

- *Learning outcomes/themes tbc*

11:10 Refreshments and networking

SESSION TWO: Immediate and future challenges for legal regulators

11:30 Workshop B1: Foreign Legal Consultants, Mutual Recognition Agreements, Memorandums of Understanding – The Alphabet Soup of Foreign Relations for Regulators?

Moderator: Patricia Schwartz, Office of Disciplinary Counsel, Supreme Court of State of Delaware

Speakers:

Alison Hook, Consultant

David Levy, Conference National Barreaux CNB

*Me Sylvie Champagne, Secretariat of the Order and Legal Affairs, Barreau de Quebec **

Mary Mugure, Council of Legal Education/ Kenya Law Society

Denotes video link

This panel will discuss foreign legal consultant rules in the United States and France, Mutual Recognition Agreements in Quebec, the European Union, and East Africa, and Memorandums of Understanding in the United Kingdom. Are they working, what are the pitfalls and what are the Brexit implications?

- *Scope of understanding*
- *Efficacy of processes*
- *Expansion*

11:30 Workshop B2: Ethics, standards and navigating change

Moderator: Philip Yelland, Exec Director of Regulation, Law Society of Scotland

Speakers:

John Elliot, Director of Regulation and Registrar of Solicitors, Law Society of Ireland

Melinda Bentley, Legal Ethics Counsel, Advisory Committee of the Supreme Court of Missouri

Malcolm Mercer, Partner, McCarthy Tetrault

- *Client trust funds and third parties*
- *Alternative legal services providers*
- *Code of conduct*
- *Referral fees*



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- 12:20** Transition between workshops
- 12:25** **Workshop C1: Staffing the law firm and regulator of the future**
Moderator: Jenny Mittleman, Deputy General Counsel, State Bar of Georgia
Speakers:
Angela Latta, Regulatory Policy Principal, Legal Services Board
Chris Harte, Chief Executive, Morton Fraser
Rob Marrs, Head of Education, Law Society of Scotland
- Tech skills
 - Millennial working attitudes
 - Agile working
- 12:25** **Workshop C2: Role of Regulators in promoting access to justice**
Moderator: Gordon Jackson QC, Dean of Faculty of Advocates
Speakers:
Brenda Grimes QC, Executive Director, Law Society of Newfoundland & Labrador
Janet Welch, Exec Dir, State Bar of Michigan
Heidi Chu, Secretary General, Law Society of Hong Kong (tbc)
- Learning outcomes/themes tbc
- 13:15** **Lunch and networking**
- SESSION THREE: Best practice for interventions and conduct**
- 14:00** **Workshop D1: Measuring success in supervision and alternatives to discipline**
Moderator: David Lee
Speakers:
Johan Rijlaarsdam, President, The Netherlands Bar
Patrick Dillen, Secretary General, Federation of European Bars
Victoria Rees, Director, Professional Responsibility, Nova Scotia Barristers' Society
Retha Steinmann, Director, Law Society of Namibia (tbc)
- Learning outcomes/themes tbc
- 14:00** **Workshop D2: Consumer interest in regulation**
Hosted by Law Society of Scotland
Moderator: Michael P. Clancy OBE, Director of Law Reform, Law Society of Scotland



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Speakers:

Jolyon Maugham QC, Good Law Project

Sheila Kumar, Chief Executive, CLC

Margot Tung, Director of Compliance, Law Society of Hong Kong (tbc)

- *Consumers v clients*
- *Regulation, regulators and the regulated*
- *Empowering consumers*
- *Ethical questions and challenges for regulators, including NDAs*

14:50 Transition between workshops

14:55 **Workshop E1: Good complaints models**

Moderator: David Lee

Neil Stevenson, Chief Executive, Scottish Legal Complaints Commission

Cori Ghitter, Director, Professionalism and Policy, Law Society of Alberta

Paule Armeneau QC, Director of Regulation and General Counsel, Law Society of Alberta

- *Learning outcomes/themes tbc*

14:55 **Workshop E2: Open space session: review of code of conduct**

Moderator: Dr Vanessa Davies, Director General, Bar Standards Board

- *Interactive and participatory session*
- *Crafting a code of conduct*
- *Public expectation in modern age*

15:45 **Refreshments and networking**

SESSION FOUR: Geo politics, societal changes and fractured democracy – what next for regulators and lawyers?

16:00 **Closing keynote**

Jolyon Maugham QC, Devereux Chambers and Good Law Project

- *Regulation across borders post Brexit*
- *Why law matters in 'post truth' world*

16:30 **Questions and discussion**

16:45 **Closing remarks and thank you**

Lorna Jack, Chief Executive, Law Society of Scotland

17:00 **Close of ICLR 2019**

17:10 **Drinks and farewells**

Waldorf Astoria Caledonian Hotel



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18:00

Carriages

Contact Information:

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Law Society of Scotland

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