



FAIR Association of Victims for Accident Insurance Reform
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LSO Call for Comment: Towards More Effective Governance — Governance & Electoral Reforms at the Law Society of Ontario

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Submitted to Law Society of Ontario portal https://lawsociety.forms-db.com/view.php?id=393136&mf_page=3

ATT: The Governance Review Task Force

FAIR (Fair Association of Victims for Accident Insurance Reform) is a grassroots not-for-profit organization of injured car crash survivors and their supporters. We are the end-users of the auto insurance product and we rely heavily on your members to represent us at a vulnerable point in our lives.

We appreciate the opportunity to have input on the important issues under consideration at the LSO.

Our comments are in respect to the elements of the proposed Board model and the attributes of non-licensees to increase the voice of public representatives.

We acknowledge and appreciate that the Law Society has made significant progress in expanding the diversity on their Board and that the proposal to include an increased number of public or non-licensee members on the Board is a step forward.

It is a concern that the LSO mandate and the need to maintain public confidence in the Law Society and their ability to regulate their members may not be fully served by the proposed increased numbers of 'appointed' members when the plan is to select these unelected members with "expertise such as financial, information technology, human resources, marketing or governance, as examples".

It appears there is no emphasis on consumer perspectives and their issues that should be influencing at least some of the LSO direction going forward. A true consumer voice would bolster public confidence in the self-regulated legal community.

Self-regulation is always suspect in the public perception and that is definitely magnified in the personal litigation landscape. Though the LSO clearly identifies the mistrust and sees the need to "communicate to the public that the regulator is not a guild or advocacy arm for the professions", there isn't an obvious pathway expressed in this document to overcome it.

The plan for half of the appointed members to be placed by government (whose selection criteria is unknown) and other half handpicked for their skills by the LSO doesn't guarantee the public will have the desired confidence in the LSO self-regulatory structure.

To truly meet the stated goal of rounding out the Board and to ensure the public's perspective and experience is always heard, shouldn't there be a plan to tap into persons without ties to the industry but whose knowledge more directly mirrors the real life, lived experiences in the legal system?

It isn't enough to expand the circle of inclusion if that doesn't also extend to independent viewpoints of those who use the services of your members. Isn't that the most valuable voice needed in the maintenance of public confidence?

We appreciate that this is a consultation open to the public but we also note that there doesn't appear to have been an effort to get this into the public's view so more ordinary Ontarians could be involved. Our group only became aware of this call for comment two days ago so when the request is for public input, there needs to be better outreach to achieve it.

Sincerely,

Rhona DesRoches
FAIR, Chair