Terms of Reference

Legal Services Council Subcommittee on section 24 of the Legal Services Act

1. Establishment

At its meeting held on 29th January 2026, the Legal Services Council ("LSC") resolved to establish a Subcommittee to consider section 24 of the Legal Services Act, 2020 ("LSA"), with particular focus on section 24(5), and to make recommendations to the LSC regarding any necessary amendments.

2. Purpose

The purpose of the Subcommittee is to assist the LSC by—

(a) reviewing the operation, effect, and policy intent of section 24 of the LSA, including section 24(5);
(b) facilitating and overseeing consultation with the legal profession and other relevant stakeholders; and
(c) developing recommendations for the LSC's consideration in relation to potential amendments to section 24(5) of the LSA.

3. Functions and Scope

3.1 In carrying out its mandate, the Subcommittee shall—

(a) consider legal, regulatory, operational, commercial and access to justice issues arising from section 24 of the LSA;

(b) receive and evaluate submissions and recommendations arising from industry consultation and any other relevant sources;

(c) prepare a report setting out its findings and recommendations for submission to the LSC.

3.2 The Subcommittee's role is advisory only. All recommendations are subject to approval by the LSC.

4. Membership

4.1 The Subcommittee shall comprise the following members—

(a) Mr. Stephen Watler, Member of the Legal Services Council (Chairperson);

(b) Mr. Erik Bodden, representative of the Cayman Islands Legal Practitioners Association (CILPA);

(c) Ms. Karen Stephen-Dalton, representative of the Attorney General;

(d) Mr. Alasdair Robertson, representative of CILPA; and

(e) Ms. Prathna Bodden, representative of the Criminal Defence Bar.

4.2 The Chairperson may recommend the appointment of additional members where further expertise is considered necessary, subject to the approval of the LSC.

5. Industry consultation

5.1 The Subcommittee shall receive and consider recommendations arising from consultation undertaken by a consultation committee established by CILPA for the purpose of seeking views from the legal profession and developing recommendations relating to section 24(5) of the LSA.

5.2 The Subcommittee shall receive and consider any other recommendations received form relevant sources by the Subcommittee in relation to section 24(5) of the LSA.

6. Reporting and deliverables

The Subcommittee shall—

(a) consider all recommendations received from the consultation committee and any other relevant sources;

(b) finalise proposed amendments to section 24(5) of the LSA; and

(c) submit a report and proposed amendments to the LSC for consideration.

(d) Where consensus cannot be achieved, differing views may be recorded and submitted to the LSC.

7. Timeline

The Subcommittee shall aim to complete its work by the end of April2026 to allow sufficient time for—

(a) consideration by the LSC;

(b) consideration by Cabinet; and

(c) if approved by Cabinet, the making of Cabinet Order under section 24(6) of the LSA to amend section 24(5) of the LSA prior to 30 June 2026, when the disapplication of section 24(3) under the Legal Services (Savings and Transitional) Regulations 2024 expires.

8. Confidentiality

8.1 All documents, submissions, deliberations, and recommendations of the Subcommittee shall be treated as confidential unless and until the LSC determines otherwise.

8.2 Members must not disclose confidential information obtained through their participation on the Subcommittee, except where authorised by the LSC or required by law.

8.3 These confidentiality obligations continue after a member's participation on the Subcommittee has ended.

9. Meetings and administration

(a) The Subcommittee shall meet as frequently as necessary to discharge its functions.

(b) Meetings may be held in person or by electronic means.

10. Duration

The Subcommittee shall stand dissolved upon submission of its final report to the LSC, unless otherwise directed by the LSC.