

Market study into the supply of legal services in England and Wales – consumer findings

Prepared for the CMA
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1 Introduction

Background

- 1.1 The Competition and Markets Authority (CMA) is an independent, non-ministerial department. It works to promote competition and make markets work well for the benefit of consumers, businesses and the economy, both within and outside the UK.
- 1.2 Earlier this year the CMA began a market study into legal services. The purpose of this study was to examine whether competition in the legal services sector in England and Wales is working effectively for consumers and small enterprises and – if found not to be working well – how it might be improved.
- 1.3 As part of the market study, the CMA commissioned IFF Research to conduct mixed-methods research (quantitative telephone interviews and follow-up qualitative depth interviews) with individual consumers in England and Wales. The study explored consumer experiences of using a legal service provider (an LSP) to inform the CMA's understanding of the consumer side of the legal services market, in particular whether consumers can drive competition (market study Theme 1) and whether information failures result in consumer protection issues that are not being adequately addressed through existing regulations and/or redress mechanisms (market study Theme 2)¹.
- 1.4 The focus of the study was on individual consumers who had experienced a legal matter in the last two years (since 1st January 2014), were residing in England or Wales (where the legal matter had

been experienced), and had used a legal service provider to assist them with their legal matter. In addition, consumers had to have been aged 18 or older at the time of their legal matter. *For the purposes of this report, the consumers referred to are those who fall within this eligible target population.*

- 1.5 This report presents findings from both the quantitative and qualitative strands of the study.

Research objectives

- 1.6 IFF Research was commissioned to explore the following topics as part of the research study:

Key research areas

- How consumers decided between legal service providers (LSPs) and which LSP to use – what factors influenced their decision?
- Consumer awareness of information on quality and price – what information was available? How did consumers access it?
- What consumers used to judge quality – were there particular measures or standards they used?
- How easy or difficult consumers found it to compare LSPs in terms of quality and cost – did they compare at all?
- The accuracy (or otherwise) of initial fee estimates received by consumers from LSPs – did they end up paying more or less or as much as expected?
- Whether consumers received the quality/level of service they expected – did they feel they had received value for money?
- Whether consumers were aware of and used redress mechanisms (and their experiences of using them) – how did they find out about these? Did they make a complaint?

¹ The CMA's Statement of Scope for the legal services market study may be found at: https://assets.publishing.service.gov.uk/media/56962803e5274a117500000f/Legal_services_market_study_statement_of_scope.pdf

Methodology

- 1.7 The research was comprised of two methodological strands – quantitative telephone interviews each lasting approximately 20 minutes and follow-up qualitative face-to-face or telephone depth interviews lasting 60-90 minutes.
- 1.8 Participants for the quantitative strand were identified using a random digit dialling (RDD) approach – the sample was comprised of randomly generated landline and mobile numbers (to account for mobile-only households) in England and Wales.
- 1.9 A total of 750 quantitative telephone interviews were conducted with consumers aged 18 and above, living in England or Wales, who had experienced a legal matter² since 1st January 2014 and used a legal service provider³ to assist with this matter.
- 1.10 Cognitive testing of the questionnaire was carried out w/c 29th February 2016 and small-scale pilot testing w/c 14th March 2016. The mainstage fieldwork ran from 21st March to 1st May 2016.
- 1.11 Potential participants for the qualitative strand were identified and recruited from

² This list comprised the following legal matters (listed here in alphabetical order but randomised for the quantitative interviews): Accident/injury claims, Benefits/tax problems, Consumer problems, Conveyancing, Debt/hire purchase problems, Disputes with neighbours, Family matters, Housing/landlord/tenant problems, Making a will, Offences or criminal charges, Probate/estate management, Visa/immigration problems, Work problems, Other legal matter - specify. *Those whose only or most recent legal matter was an offence/criminal charge were screened out of the survey, subsequently.*

³ This list comprised the following LSPs (listed here in alphabetical order but randomised for the quantitative interviews): Accountant, Advisory service/legal advice centre, Barrister, Council/Local Authority Advice Service, Costs lawyer, Financial provider/financial adviser, Insurance company, Internet-based company, Legal executive, Legal helpline, Licensed conveyancer, McKenzie Friend, Charity, Notary, Solicitor, Trade Union or professional body, Will writer, Other – specify.

the achieved quantitative sample.

Fieldwork ran from 4th April to 20th May 2016.

- 1.12 A total of 40 qualitative interviews were conducted across England and Wales with consumers whose experience of using an LSP met a range of specific criteria. This included, for example, consumers who had used a recommendation from family/friends/a third-party or a referral from a professional intermediary organisation to identify their LSP; or who had switched to another LSP as a result of being dissatisfied with their provider.
- 1.13 All differences between sub-groups in the quantitative research reported here are statistically significant – if no difference is reported, this is because no statistically significant difference was found or the base sizes are too small to report on any differences.
- 1.14 It is important to note that there are limitations in the extent to which the qualitative research is able to provide an insight into how experiences varied for the different sub-groups of respondent. (The number of interviews achieved (40) is a good base size for a qualitative study of this nature, but does not enable generalisable comparisons to be made.)
- 1.15 A detailed breakdown of the respondent profiles for the quantitative and qualitative strands can be found in Appendix 1.
- 1.16 Further detail on the methodology of this study can be found in the technical report, which includes versions of the quantitative questionnaire and qualitative topic guide.

Report structure

- 1.17 The remainder of this report is divided into seven chapters which explore the key themes emerging from the quantitative and qualitative research.

- 1.18 Chapter 2 provides some background context to the research findings, exploring what legal matters consumers had experienced since 1st January 2014, what types of LSP they used, and whether they had used an LSP before.
- 1.19 Chapter 3 examines what general information consumers accessed about LSPs and how they used it to inform their decision of which LSP to use. It also considers consumers who compared and did not compare LSPs, and the reasons behind not comparing.
- 1.20 Chapter 4 focuses on information on the cost of the work done by the LSP – what consumers wanted to find out, how consumers accessed cost information, what they received and how they understood the information, and how they went about using information on cost to compare and assess providers.
- 1.21 Chapter 5 explores consumer views on the concept of ‘quality’ – what they understood quality to mean and how they assessed the quality of the service/advice likely to be provided by their LSP.
- 1.22 Chapter 6 considers overall consumer experiences of cost and quality and general areas for improvement.
- 1.23 Chapter 7 covers consumer experience of complaints, regulation and redress mechanisms, and how consumers acted on information when they were dissatisfied – whether they switched providers due to their dissatisfaction and why/why not.
- 1.24 The final chapter presents a summary of the key findings explored throughout the report, including differences between sub-groups of consumers who did not compare LSPs and consumers who did.
- 1.25 All the quantitative data reported here is unweighted.
- 1.26 Throughout the report, statistically significant differences are shown in tables and charts using the following symbols:
- * denotes statistically significant differences between a sub-group and the sample average (average for all respondents);
- denotes statistically significant differences between sub-groups.
- 1.27 Where small base sizes mean that findings are only indicative, this is highlighted in the text.
- 1.28 As a general rule, ‘Don’t know/Can’t remember’ and ‘Refused’ responses are not reported, unless indicated otherwise.

2 Research findings – context

2.1 This chapter presents findings on some of the background context questions asked of consumers in the quantitative interviews, such as:

- The legal matters consumers have experienced since 1st January 2014;
- The types of legal service provider used to assist with this legal matter;
- The context in which consumers come to make their decisions about legal service providers – which may have influenced how much they knew about the market and how much time they were willing/able to spend to find out.

of provider were used by consumers for particular types of legal matter. For example, those whose legal matter was an accident/injury claim were more likely (30%)⁴ to use an insurance company compared to the sample average (4%), and those who experienced problems at work were more likely (19%)⁵ to use a trade union compared to the sample average (2%).

- Two thirds (67%) of consumers had previous experience of using an LSP.
- The majority of consumers (77%) said they did not make comparisons between LSPs when deciding which to use (non-comparer sub-group).

Chapter 2: Key findings

- Conveyancing was the most common legal matter experienced by users of LSPs since 1st January 2014 – experienced by a third of all consumers, and by a quarter as their only or most recent legal matter experienced.
- Other only/most recent legal matters commonly experienced were will-writing (19%), probate/estate management (13%), family matters (12%) and accident/injury claims (9%).
- Solicitors were the most commonly used type of LSP overall, and were used by over two thirds of consumers (69%) as their only/main provider.
- Small proportions of consumers used other types of LSP as their only/main provider. An advisory service/legal advice centre was used by 5%, and 4% respectively used an insurance company or a financial provider/financial advisor as their only/main LSP.
- As would be expected, particular types

Type(s) of legal matter experienced

2.2 Consumers were asked to identify all of the legal matters they had experienced since 1st January 2014. A read-out list was used to ensure consumers considered the fullest possible range of potential legal matters within scope of the study. Those who had experienced more than one legal matter (36%, n=268) were asked which one they had experienced most recently. Throughout the remainder of the survey, consumers were asked to think about the only/most recent legal matter they had experienced as they gave their answers.

2.3 Table 2.1 presents data on all the legal matters experienced by the 750 quantitative interview respondents. The fourth column (farthest to the right) summarises the only or most recent legal matter experienced by consumers.

2.4 A quarter (26%) of consumers experienced conveyancing as their main/only legal matter and a fifth

⁴ Indicative finding: small or very small base size.

⁵ Indicative finding: small or very small base size.

experienced will-writing (19%). Probate (13%), family matters (12%) and accident/injury claims (9%) were the next most common legal matters experienced.

2.5 Around half of the sample – 342 consumers, 46% – experienced conveyancing or will-writing as their only or most recent legal matter.

Table 2.1: Legal matter(s) experienced since 1st January 2014

	All legal matters experienced Q.A5 Base = 750	Only legal matter experienced Q.A5 single code Base = 482	Most recent legal matter experienced Q.A7 single code Base = 268	Only or most recent legal matter experienced Q.A5/A7summary Base = 750
Conveyancing	259 (35%)	135 (28%)	63 (24%)	198 (26%)
Making a will (will-writing) ⁶	207 (28%)	104 (22%)	40 (15%)	144 (19%)
Probate/estate management	153 (20%)	50 (10%)	45 (17%)	95 (13%)
Family matters	162 (22%)	52 (11%)	37 (14%)	89 (12%)
Accident/injury claims	93 (12%)	49 (10%)	21 (8%)	70 (9%)
Housing/landlord/tenant problems	50 (7%)	15 (3%)	19 (7%)	34 (5%)
Work problems	49 (7%)	23 (5%)	8 (3%)	31 (4%)
Benefits/tax problems	36 (5%)	9 (2%)	8 (3%)	17 (2%)
Consumer problems	32 (4%)	10 (2%)	5 (2%)	15 (2%)
Visa/immigration matters	23 (3%)	8 (2%)	6 (2%)	14 (2%)
Disputes with neighbours	26 (3%)	4 (1%)	6 (2%)	10 (1%)
Debt/hire purchase problems	21 (3%)	5 (1%)	1 (*%) ⁷	6 (1%)
Non-conveyancing property matter ⁸	12 (2%)	5 (1%)	6 (2%)	11 (1%)
Other legal matter	31 (4%)	13 (3%)	3 (1%)	16 (2%)

⁶ This legal matter is referred to as 'will-writing' throughout the report.

⁷ '*' indicates a percentage of more than zero and in the range 0.01-0.49%.

⁸ Note that 'Non-conveyancing property matter' was not a pre-code but was identified as an additional legal matter through the coding of 'Other – specify' responses.

Types of LSP(s) used

2.6 After establishing their only/most recent legal matter, consumers were asked which type(s) of legal service provider they had used to assist them with the matter. Again, a read-out list was used to try to ensure that a full range of LSPs were considered in consumer responses (and to avoid consumers only thinking about solicitors or barristers, for example).

2.7 Table 2.2 presents data on the types of legal service provider used by the 750 quantitative interview respondents. The fourth column (farthest to the right) summarises the only or main LSP used by consumers for help with their legal matter, which they were then asked to think about throughout the remainder of the interview (and in any follow-up qualitative interviews conducted).

Table 2.2: Type(s) of LSP used by consumers to assist with their only/most recent legal matter experienced since 1st January 2014

	All LSPs used <i>Q.B1 Base = 750</i>	Only LSP used <i>Q.B1 single Base = 408</i>	LSP used with most (main) responsibility <i>Q.B2 single Base = 342</i>	Only/main LSP used <i>Q.B1/B2 summary Base = 750</i>
Solicitor	573 (76%)	296 (73%)	222 (65%)	518 (69%)
Advisory service/ legal advice centre	97 (13%)	19 (5%)	16 (5%)	35 (5%)
Financial provider/ financial adviser	105 (14%)	15 (4%)	13 (4%)	28 (4%)
Insurance company	92 (12%)	17 (4%)	11 (3%)	28 (4%)
Will writer	41 (5%)	11 (3%)	8 (2%)	19 (3%)
Licensed conveyancer	58 (8%)	7 (2%)	11 (3%)	18 (2%)
Trade Union/ professional body	38 (5%)	9 (2%)	5 (1%)	14 (2%)
Barrister	46 (6%)	4 (1%)	9 (3%)	13 (2%)
Legal executive	54 (7%)	6 (1%)	7 (2%)	13 (2%)
Council/Local authority advice service	50 (7%)	4 (1%)	6 (2%)	10 (1%)
Legal helpline	43 (6%)	4 (1%)	6 (2%)	10 (1%)
Charity	35 (5%)	5 (1%)	4 (1%)	9 (1%)
Accountant	45 (6%)	-	6 (2%)	6 (1%)
Internet-based company	35 (5%)	2 (*%)	4 (1%)	6 (1%)
Costs lawyer	17 (2%)	3 (1%)	1 (*%)	4 (1%)
McKenzie Friend ⁹	1 (*%)	1 (*%)	-	1 (*%)
Notary	18 (2%)	-	-	-
Other	14 (2%)	5 (1%)	3 (1%)	8 (1%)

⁹ A person who represents him/herself in court is called a Litigant in Person (LIP). An LIP may be accompanied by someone to help them and this person is called a McKenzie Friend (MF). The MF does not need to be legally qualified but provides advice and support to the LIP before and during any court hearing. Some MFs charge fees and (essentially) anyone can be a MF.

- 2.8 Half of consumers overall (54%, n=408) had used one LSP to help them with their legal matter, a quarter (25%, n=189) had used two LSPs and a fifth (20%, n=153) said they had used three or more LSPs at some point in dealing with their only/most recent legal matter. Those whose legal matter was will-writing were significantly more likely to have used one LSP (74%) compared to the sample average (54%). Those whose legal matter was problems at work (42%)¹⁰ or an accident/injury claim (37%)¹¹ were more likely to have used two LSPs compared to the sample average (25%).
- 2.9 Solicitors were by far the most commonly used LSP type, by three quarters (76%) of all consumers and two thirds (69%) as their only/main LSP. Only a small proportion of consumers used any of the other types of LSP as their only/main provider.
- 2.10 Consumers were more likely to use a solicitor for some types of legal matter than others. Those who had experienced probate (84%)¹², will-writing (78%) or conveyancing (77%) were all more likely to have used a solicitor than the sample average, whereas those with accident/injury claims (54%)¹³, problems at work (45%)¹⁴, or housing/landlord/tenant problems (44%)¹⁵ were less likely to do so.

Correlation between legal matter and LSP

As might be expected, there was some correlation between the type of legal matter experienced and the LSP used. Some examples are:

- Those whose legal matter was an

accident/injury claim were more likely (30%)¹⁶ to use an insurance company compared to the sample average (4%).

- Those who experienced problems at work were more likely (19%)¹⁷ to use a trade union compared to the sample average (2%).
- Those who experienced will-writing were more likely (11%)¹⁸ to have used a will writer than the sample average (3%).

- 2.11 Consumers aged 51-70 were significantly more likely to have probate/estate management as their only/most recent legal matter (18%) compared to the sample average (13%). Around half of consumers aged 71+ years (45%) had will-writing as their only/most recent legal matter, compared to the sample average (19%).
- 2.12 Consumers who spoke English as a second language were more likely to have used an advisory service/legal advice centre (19%)¹⁹ compared to those with English as their main language (4%) – perhaps because language barriers made it difficult to access other types of LSP.

Other contextual findings

Previous experience of using an LSP

- 2.13 Two thirds (67%) of consumers had previous experience of using an LSP; a third (32%) did not. The quantitative survey did not explore further whether respondents were answering questions specifically in relation to an LSP they had used before. However, a few consumers who participated in the qualitative follow-ups and had previous experience of using an LSP reported that they had gone back to a provider used previously.

¹⁰ Indicative finding: small or very small base size.

¹¹ Indicative finding: small or very small base size.

¹² Indicative finding: small or very small base size.

¹³ Indicative finding: small or very small base size.

¹⁴ Indicative finding: small or very small base size.

¹⁵ Indicative finding: small or very small base size.

¹⁶ Indicative finding: small or very small base size.

¹⁷ Indicative finding: small or very small base size.

¹⁸ Indicative finding: small or very small base size.

¹⁹ Indicative finding: small or very small base size.

- 2.14 Those whose legal matter was conveyancing were significantly more likely to not be using an LSP for the first time (that is, they had used an LSP previously) (78% vs. 67% sample average).
- 2.15 Conversely, consumers who had an accident/injury claim were more likely to be using an LSP for the first time (56%)²⁰ compared to the sample average (32%).
- 2.16 Those using a council/LA advice service (82%)²¹, a charity (70%)²², legal helpline (70%)²³, barrister (64%)²⁴, insurance company (59%)²⁵ or an advisory service/legal advice centre (57%)²⁶ as their only/main LSP were all more likely than the sample average to be first-time users of an LSP.
- 2.17 As might be expected, younger consumers (aged 18-50) were significantly more likely to be using an LSP for the first time (44%) compared with the over-50s (26%).
- comparing/not comparing LSPs might have influenced this decision).

Comparing LSPs

- 2.18 Consumers were asked whether they had made any comparisons between LSPs when choosing which provider to use.
- 2.19 The majority had not compared LSPs (77%); around a fifth (22%) had made comparisons. A respondent profile of comparers and non-comparers from the quantitative strand of the research is set out in Appendix 2, and differences between the findings for these two sub-groups are highlighted throughout the remainder of the report. (Chapter 3 – 3.53 onwards – looks at how consumers decided which LSP to use and how

²⁰ Indicative finding: small or very small base size.

²¹ Indicative finding: small or very small base size.

²² Indicative finding: small or very small base size.

²³ Indicative finding: small or very small base size.

²⁴ Indicative finding: small or very small base size.

²⁵ Indicative finding: small or very small base size.

²⁶ Indicative finding: small or very small base size.

3 Accessing and using information on legal service providers

- 3.1 This chapter explores what information consumers had access to and used, and how important they considered this information to be when choosing their legal service provider.

Chapter 3: Key findings

Consumers were limited in the extent to which they ‘shopped around’ when looking for an LSP:

- Most consumers (82%) used only one means of identifying their LSP, with non-comparers significantly more likely to do so (86%) than comparers (66%). Comparers were significantly more likely to use between two and four means of identifying their LSP (33%) than non-comparers (13%).
- The means of identification most commonly reported were a recommendation from family/friends (30%) – with equal proportions of comparers and non-comparers doing so to identify an LSP (30% respectively).
- Overall, the use of the internet as a means for identifying an LSP was surprisingly low across the quantitative sample, with only one in ten consumers overall (11%) using an internet search engine. However, whilst still a minority, comparers were significantly more likely than non-comparers (30% vs. 6%) to use the internet to identify a provider.
- While 18% said they took no time at all to look for an LSP, just under half of consumers (44%) took up to one hour to identify a provider. Non-comparers were significantly more likely than comparers to spend no time (23% vs. 1%) or up to an hour (48% vs. 31%) looking for an LSP.
- The most common type of information

used by consumers to choose an LSP was the provider’s location – used by half (49%) of all consumers, but particularly by comparers (61%).

- Overall, consumers most often reported qualifications/experience (79%) and reputation (77%) as important factors when choosing an LSP. However, comparers differed considerably from non-comparers in the extent to which they felt cost was an important factor (81% vs. 57%) while non-comparers were more likely than comparers to say brand was an important factor (60% vs. 47%).
- Around half of participants in the qualitative follow-up interviews had compared LSPs. Typically, they had compared by using providers’ websites or by speaking to LSPs over the phone. Around a quarter of the qualitative sample had compared the information they had received on the likely cost of the LSPs work.
- The majority of consumers in the quantitative sample had not compared LSPs (584). When asked why, the main reasons selected for not comparing LSPs were that a trusted recommendation had been received (36%) and/or that the consumer had previous experience of using the LSP (35%). A small number (34 consumers) had not compared because they felt it would be too difficult or too time consuming to do.

How consumers identify an LSP to use

- 3.2 As Figure 3.1 shows that most commonly, around a third of consumers had used a recommendation from family/friends (30%), with no difference between comparers and non-comparers sub-groups in doing so.

- 3.3 This was followed by consumers using their personal experience of using an LSP before (29%) to identify an LSP to assist with their legal matter. Non-comparers were significantly more likely to have used their personal experience of using the LSP previously (32%) than comparers (16%). The third most common way of identifying an LSP was through a recommendation from a professional third-party (17%). Being referred to an LSP by a professional intermediary was also significantly more likely for non-comparers (10%) than comparers (4%). This goes some way to explaining why non-comparers did not compare LSPs – rather than shopping around for an LSP, they tended to rely on their prior experiences or had been referred so did not need to shop around for an LSP.
- 3.4 The location of the provider – in terms of proximity to consumers' home or workplace – was also an influential factor, with 10% of consumers overall using this to help identify an LSP to use.
- 3.5 Overall, the use of the internet as a means for identifying an LSP was surprisingly low across the quantitative sample, with only one in ten consumers overall (11%) using an internet search engine. However, it's worth noting that – albeit still a minority – comparers (30%) were significantly more likely than non-comparers (6%) to use the internet to this end.
- 3.6 Satisfaction with the quality of legal service can be linked to having an existing relationship with an LSP – a third (32%) of satisfied consumers had used their personal experience to identify which LSP to use compared to 12%²⁷ of those who were dissatisfied. Those who were dissatisfied with the quality of legal service they had received were more likely to have used an internet search engine to identify their LSP (20%)²⁸ than those who were satisfied (10%).
- 3.7 The means used to identify a suitable LSP also varied between consumers who had experienced different legal matters. Consumers who had experienced probate were more likely to have used a recommendation from family/friends (42%)²⁹ and consumers with conveyancing as their legal matter were significantly more likely to have used their personal experience of the LSP before (38%) or a recommendation from a third-party (23%), than the sample average. Conversely, consumers with an accident/injury claim were more likely than average to have identified their LSP via a referral from a professional intermediary (33%)³⁰.
- 3.8 Those who had experienced will-writing were significantly more likely than consumers overall to have used the proximity of the LSP's office to them (15%) or a newspaper advert (5%) as a way of identifying an LSP to use. Consumers experiencing family matters were also more likely to have used locality as a factor for identifying LSPs (18%)³¹.
- 3.9 Those who had experienced problems at work (39%)³² or consumer problems (33%)³³ were more likely to have used an internet search engine to identify an LSP than consumers overall.
- 3.10 Those who had not used an LSP before were significantly more likely to have used a recommendation from a professional third-party (23%), internet search using a search engine/browser (17%), a referral from/choice made by a professional intermediary (12%) or telephone book (5%) to identify their LSP, compared to

²⁷ Indicative finding: small or very small base size.

²⁸ Indicative finding: small or very small base size.

²⁹ Indicative finding: small or very small base size.

³⁰ Indicative finding: small or very small base size.

³¹ Indicative finding: small or very small base size.

³² Indicative finding: small or very small base size.

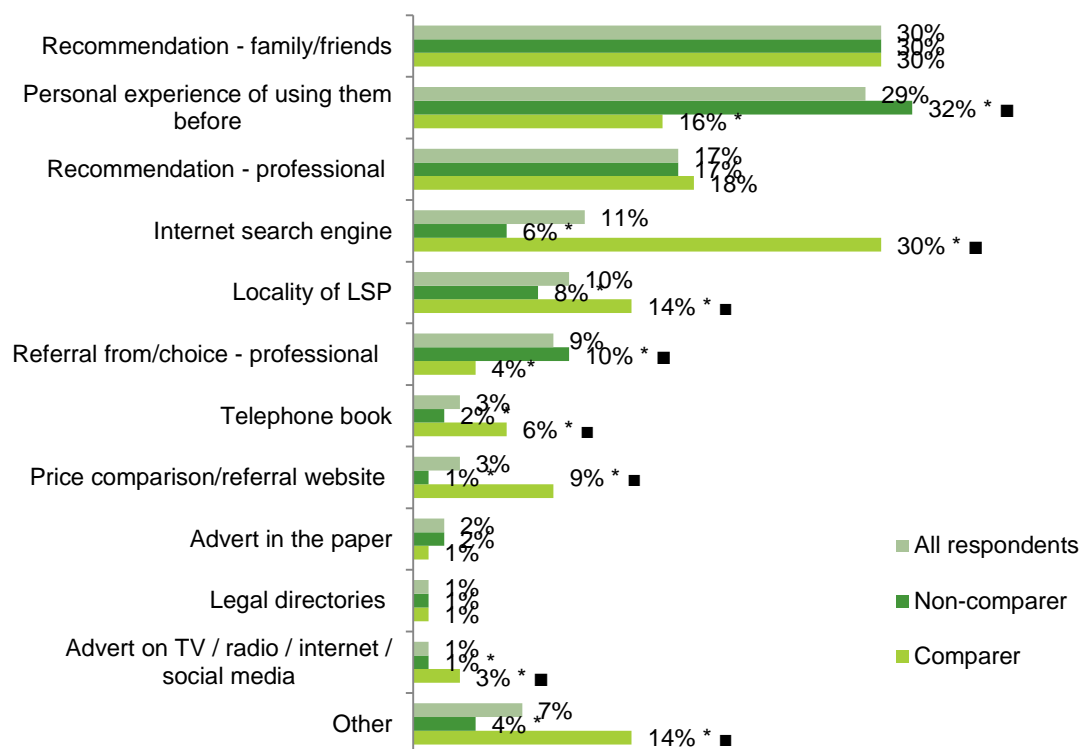
³³ Indicative finding: small or very small base size.

those who had used an LSP before (14%, 8%, 7%, 1% respectively).

sample average (30%), and consumers aged 31+ significantly less likely (29%).

- 3.11 Consumers aged 18-30 were more likely to have used a recommendation from family/friends (56%) compared to the

Figure 3.1: How consumers identified an LSP to help with their legal matter (Q.C1/D2; base = 750: all eligible)



Consumers who used a recommendation to identify their LSP or were referred to an LSP

- 3.12 The qualitative interviews explored the differences in experience of choosing an LSP among those whose LSP was recommended to them (by family/friends, or a professional third-party), those who were referred to an LSP (by a professional intermediary) and those consumers who chose their LSP in other ways.
- 3.13 The qualitative interview sample included nine consumers who had used a recommendation to identify their LSP. In six cases, the recommendation was from family/friends. In three cases, the

recommendation was from a professional third-party. In addition, five consumers had been referred to their LSP by a professional intermediary.

Recommendations

- 3.14 In the nine cases of consumers who used a recommendation to identify their LSP, the LSP was recommended by someone known to the consumer and who had experienced their own legal matter (in the case of recommendations from family/friends) or had relevant experience of or expertise in the legal matter professionally (in the three cases the

recommendation was from a professional third-party).

- 3.15 In one case of a recommendation from a professional third-party, this had been made by a solicitor recommending a conveyancer who worked on a contractual basis for the solicitor. In another case, the consumer's estate agents had recommended conveyancers, and in the third case, a free national employment specialist service contacted by the consumer had recommended LSPs specialising in employment law.
- 3.16 Generally consumers were happy to take these recommendations 'at face value', knowing that the LSP was considered by the recommending party to have provided a good quality, cost-effective service.
- 3.17 However, a few mentioned that they had tried to get as much information behind the recommendation as possible – for example, asking their friend what exactly they had liked about the LSP, their impressions of the quality of customer service provided or the LSP's general efficiency.
- 3.18 Though most did no further research into the LSP other than speaking to their family/friend/professional third-party, a few did make additional enquiries regarding the LSP(s) recommended to them, or arranged to speak or meet the LSP directly, before making a firm decision to use them.

"We did look at their website as well but only to satisfy ourselves that they were a company of substance ... that they had more than one office, and a number of partners – not just a one-man band." Comparer, experienced will-writing, used a solicitor.

- 3.19 Consumers had a clear sense of trust in the person who recommended an LSP. Most commonly, this was linked to:

- The nature of the relationship with the source of the recommendation – including the length of the relationship and/or who it was with (for example, a close family/friend connection).
- A sense that the person making the recommendation was familiar with the consumer's personal circumstances and therefore had made an informed and reasonable recommendation. For example, one consumer was confident that the recommended LSP would not be out of their price range, as their friend was aware of their financial situation.
- Believing the source was knowledgeable in this area – particularly where the LSP had been recommended by someone with related professional expertise through their line of work. For example, one consumer had received a recommendation from a neighbour who had experience of trade unions as a business owner; another had a family member who was a judge by profession.

"Well we were just chatting and he asked me how I was and I said, "Well, I'm having problems at work" and he said, "Oh, I know just the people to help you there, the union." ... So he knew all about them, which was a help, but he was brilliant ... I've known him, I've been here, what, ten years? I've known him for ten years, and he's got his own business, so he knows what he's talking about." Non-comparer, experienced problems at work, used a trade union.

- In one case, a recommendation had been made by a professional third-party that had previously worked with the LSP they suggested and built up a relationship with them. The latter was also an important indicator of quality to the consumer.

"I did ask when I was purchasing the house via an estate agent if they knew how the system worked now, if it had changed because I haven't bought a house for 22 years ... They said 'Actually yes, it's much simpler now, we can offer you a conveyancing team.' ... They sent me the costs and things like that through just in case I was interested and I thought it might be easier to just keep it with the one company and do it that way ... And they were just really helpful from the start. They said they had a number of different companies that they used, different solicitors and conveyancing companies that they used. This one would be a good one." Non-comparer, experienced conveyancing, used a solicitor.

- A general assumption was that the recommendation would not have been made if the LSP had provided poor service or the individual's experience had been poor.

"It was friends who we trusted who were in a similar family situation to our own. They had also done a will through this solicitor and had a good experience." Comparer, experienced will-writing, used a solicitor.

- 3.20 Consumers were asked whether they felt that the recommending party had themselves compared different LSPs as a basis for the recommendation. Most felt this was unlikely, although it was not something they had explicitly thought to check.
- 3.21 However, around half of those who had received a recommendation had been recommended more than one LSP and had, in some cases, received recommendations from more than one source.

"I'd say [my colleagues] compared ... and just knowing from experience what they were like ... Just whether they were good or not, things, like, that. What they were like to deal with, as people, which I suppose is useful." Comparer, experienced will-writing, used a solicitor.

Referrals

- 3.22 The experiences of those who had been referred to an LSP by a professional intermediary were in some ways different to consumers who had received recommendations. Most consumers in this sub-group had either been referred directly to a single LSP or had self-selected an LSP from a pre-determined shortlist of providers (offered by the intermediary organisation referring them).

"They didn't [give me any options]. They basically said, 'We will take care of your case and here's the information we need from you'." Non-comparer, experienced an accident/injury claim, used a solicitor.

- 3.23 Most who had received a referral had been given the name of the LSP as part of the process. One consumer had, as an exception, been sent information about a number of LSPs' specialisms and qualifications on a shortlist of potential providers.
- 3.24 Generally, consumers were happy with their experience of the referral process because they trusted the source of their referral at the time. This was most often linked to the intermediary organisation being well-known and considered professional which added credibility to the referral. One consumer mentioned that they would expect the referral to be credible, as the intermediary organisation would not want to put their reputation at risk. Some also felt the third-party organisation was being genuinely helpful.

- 3.25 One consumer met with their LSP a number of times after being referred to them. Generally, though, and as with consumers who had received a recommendation, those with referrals tended to assume that the LSP to which they had been referred would do a good job (or otherwise would not have been suggested).

"XXXX are a trustworthy professional organisation. They just offered me the three firms to choose from and actually said that they were all very trustworthy but XX might be the best because of location and my particular case. I found them very professional and proactive in my dealings with them. They gave forthright opinions that I trusted. I had previously contacted a few providers direct but didn't trust the information I was being given." Non-comparer, experienced an accident/injury claim, used a solicitor.

- 3.26 Two consumers who had been referred to an LSP felt, in hindsight, they should have carried out their own research or asked the intermediary organisation for more choice of LSPs. This was linked to feeling dissatisfied overall with their experience of the LSP they subsequently used (and emerged as a view after the LSP had worked on the legal matter).

[In response to a question about whether, having been through the experience, the consumer felt they could have found a better LSP if the intermediary organisation had offered more choice]:

"Well, I think for one if they'd listened to me properly and taken it into account. If they'd got it right in the first place and saw that it was a serious injury instead of squandering a year and a half of time for something that they've been repeatedly told." Non-comparer, experienced an accident/injury claim, used a solicitor.

Information used to find an LSP and its importance

- 3.27 The quantitative survey explored the different types of information consumers used to inform their choice of LSP. Overall, as Figure 3.2 shows, consumers most often mentioned using location (49%), followed by feedback/recommendations from family/friends (42%), their experience of using an LSP before (38%) or information about the provider's reputation (38%).
- 3.28 However, there were clear differences between the comparer and non-comparer approaches to using information when choosing a provider.
- 3.29 Significantly more comparers (69%) than non-comparers (25%) used information on costs, information on location (61% vs. 46%), information about the provider's reputation (57% vs. 32% of non-comparers), or feedback/recommendations from a professional (38% vs. 25% of non-comparers). The difference regarding use of cost information might be expected as this was likely to be the main/easiest basis on which to compare providers – a point which was highlighted by a few consumers in the qualitative interviews (see 4.64).
- 3.30 Consumers who were satisfied with the quality of legal service they had received were more likely than average to have used feedback/recommendations from family/friends (44%), and were also more likely than dissatisfied consumers to have used experience of using the LSP before (42% vs. 13%³⁴).
- 3.31 Consumers whose legal matter was conveyancing were significantly more likely to choose their LSP using their previous experience of the LSP (51%), the provider's cost (46%), and/or

³⁴ Indicative finding: small or very small base size.

feedback/recommendations from a professional third-party (40%) compared to the sample average across these information types.

- 3.32 Consumers whose legal matter was problems at work were more likely to use information about the provider's qualifications (58%)³⁵ compared to the sample average.
- 3.33 Consumers whose legal matter was will-writing were significantly more likely to use feedback/recommendations from family/friends (50%), but significantly less likely to use feedback/recommendation from a professional third-party (19%), compared to the sample average.
- 3.34 Consumers whose legal matter was probate were less likely to use information about the provider's costs (24%)³⁶, qualifications (24%)³⁷, or feedback/recommendations from a professional third-party (14%)³⁸ compared to the sample average.
- 3.35 Those whose legal matter was an accident/injury claim were less likely to use feedback/recommendations from family/friends (27%)³⁹, location (17%)⁴⁰ and/or previous experience of using the provider (14%)⁴¹ to choose their LSP, compared to the sample average. They were more likely than average to have had their choice made for them (13%).

³⁵ Indicative finding: small or very small base size.

³⁶ Indicative finding: small or very small base size.

³⁷ Indicative finding: small or very small base size.

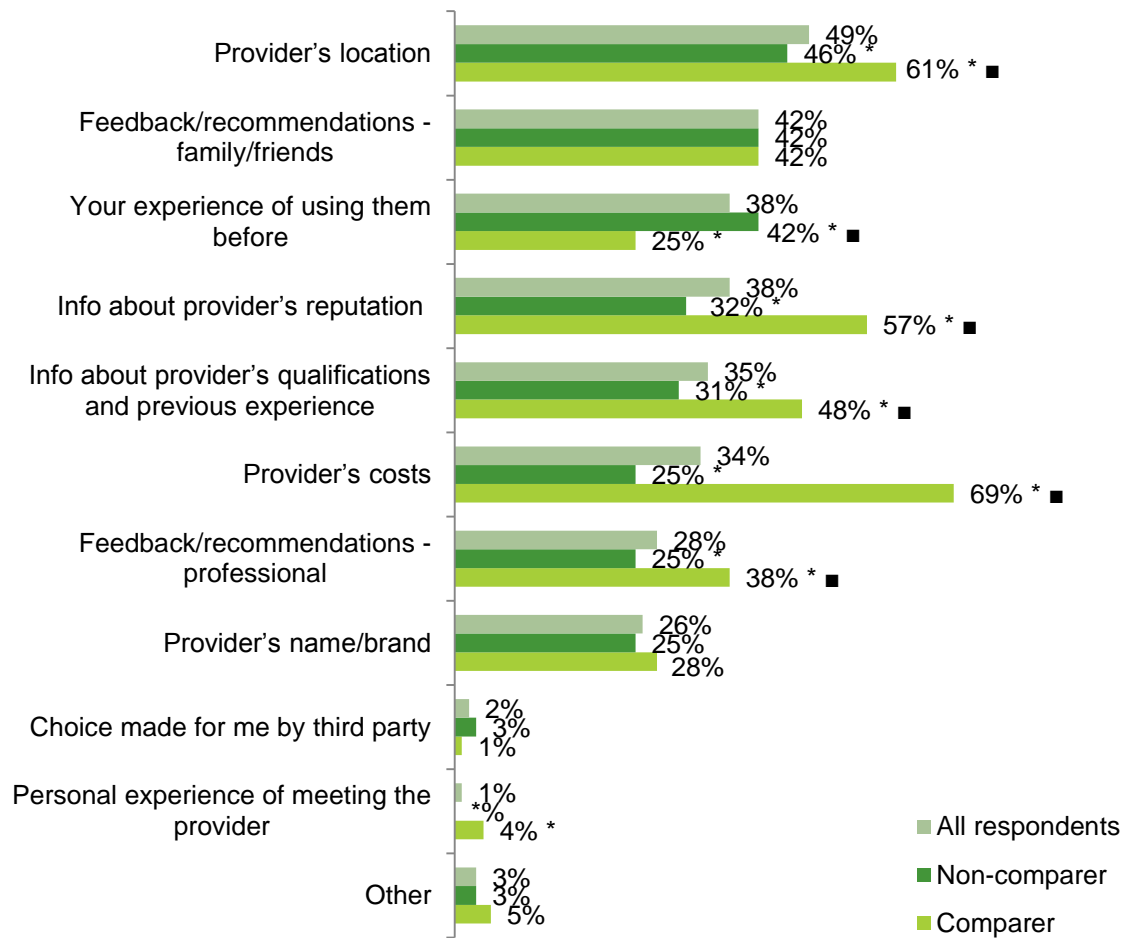
³⁸ Indicative finding: small or very small base size.

³⁹ Indicative finding: small or very small base size.

⁴⁰ Indicative finding: small or very small base size.

⁴¹ Indicative finding: small or very small base size.

Figure 3.2: Types of information used by consumers to choose which LSP to use (Q.C3/D4; base = 750: all eligible)



On the whole, consumers appeared to put a limited amount of effort into identifying an LSP to use:

Most consumers (82%) used one means of identifying an LSP, with just under a fifth (18%) using two or more methods in combination. As might be expected, non-comparers were significantly more likely to have used just one method (86%) than comparers (66%).

This finding is further emphasised by the fact that just under a fifth (18%) of consumers spent no time, and a further 44% spent one hour or less, looking for an LSP to use. Unsurprisingly, those who did not compare were significantly more likely than comparers to spend no time (23% vs. 1%) and less than an hour (48% vs. 31%) looking for an LSP to use. As might be expected, consumers with previous experience of using an LSP were also more likely than average (21% vs. 13%) to have spent no time looking for an LSP, than those without previous experience.

Conversely, comparers were significantly more likely than non-comparers to spend between two and five hours (27% vs. 7%) or six or more hours (26% vs. 9%) looking for an LSP.

Half of all consumers (51%) used two to four types of information to help them choose an LSP, and a fifth (21%) used five or more information types.

Again, there were variations between sub-groups. Non-comparers were significantly more likely to draw on one type of information (28%) than comparers (12%). In contrast, comparers were significantly more likely to draw on at least three types of information (75% vs. 48%).

reputation (77%). Consumers who were satisfied with the quality of their legal service were more likely to consider the provider's qualifications as important (81%) compared to those who were dissatisfied (71%).

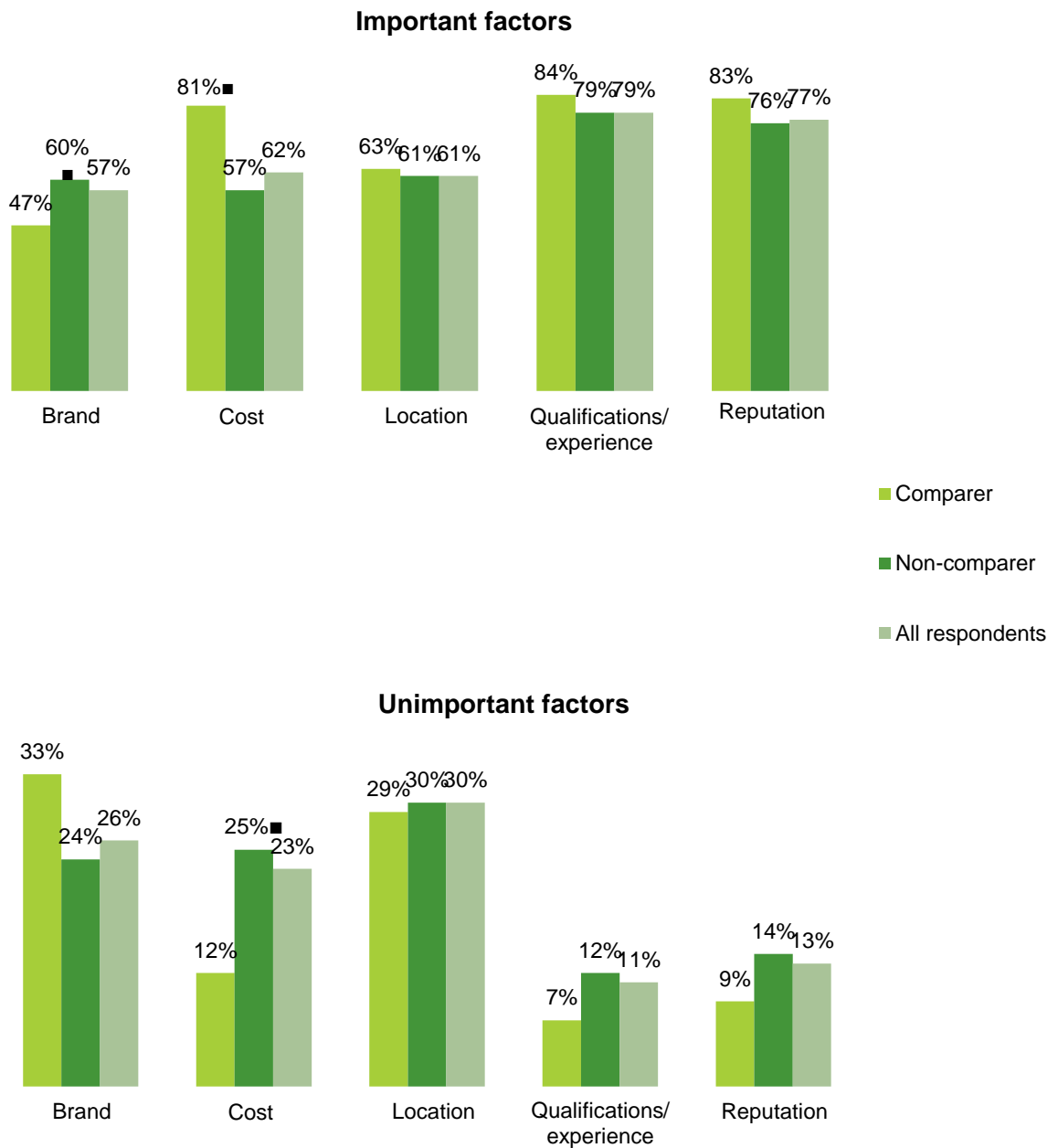
- 3.38 However as Figure 3.3 shows, there were significant differences between comparers and non-comparers in the frequency with which they said each factor was important.
- 3.39 Comparers were significantly more likely to say that cost was an important factor – 81% vs. 57% of non-comparers. This reflects the greater likelihood of comparers using cost when choosing a provider than non-comparers (see 3.29).
- 3.40 In contrast, non-comparers were significantly more likely than comparers to say that LSP brand was an important factor when choosing which provider to use (60% vs. 47% respectively).

3.36 Consumers were also asked to identify how important, if at all, the following five factors – brand, cost, location, qualifications/experience, and reputation – were in influencing their decision of which LSP to use.

3.37 Qualifications/experience were most frequently identified as important⁴² by respondents overall (79%), followed by

⁴² Important + fairly important combined.

Figure 3.3: Proportion of consumers identifying brand, cost, location, qualifications/experience, and reputation as important/unimportant factors when choosing an LSP (Q.C4/D5; base = 750: all eligible)



3.41 There were a number of statistically significant differences between sub-groups' views of the importance or unimportance of these five factors in their decision-making.

Cost

3.42 Consumers who had used a licensed conveyancer (94%)⁴³ or will writer (84%)⁴⁴, or whose legal matter was conveyancing (74%) were more likely to consider cost to be an important factor compared to the sample average.

3.43 Conversely, consumers whose legal matter was family matters (52%)⁴⁵ or probate (47%)⁴⁶ were less likely to consider cost to be an important factor compared to the sample average.

3.44 Consumers aged 71+ were significantly more likely to consider cost to be unimportant⁴⁷ (30%) compared to the sample average.

Brand

3.45 Brand was mentioned significantly more often as an important factor by those without previous experience of using an LSP (64%) compared to those with previous experience (55%).

3.46 Older consumers aged 51+ were significantly more likely to consider brand to be important (63%), compared to the sample average (57%).

Location

3.47 Location was mentioned as important significantly more often by those with previous experience of using an LSP (64%) than those without (56%).

3.48 Consumers whose legal matter was family matters (74%)⁴⁸ or will-writing (72%) were more likely to consider location to be important compared to the sample average.

3.49 However, location was less likely to be described as important by consumers who used a financial provider (43%)⁴⁹ or insurance company (34%)⁵⁰ as their LSP, or whose legal matter was an accident/injury claim (30%)⁵¹, than the sample average.

Reputation

3.50 Consumers who had used a barrister were more likely to consider the provider's reputation to be important (100%)⁵² compared to the sample average (77%).

3.51 Those whose LSP was regulated were significantly more likely to consider the provider's reputation to be important compared to those whose LSP was unregulated (79% vs. 65% respectively)⁵³.

Other important factors

3.52 A small proportion of consumers identified a number of additional factors that were important to them when choosing an LSP:

- That the LSP was understanding and personable (49);
- That the LSP offered good communication (32);
- The LSP's professionalism (29);
- That the LSP was available for them when needed (27);
- The ease of using the LSP (25);

⁴³ Indicative finding: small or very small base size.

⁴⁴ Indicative finding: small or very small base size.

⁴⁵ Indicative finding: small or very small base size.

⁴⁶ Indicative finding: small or very small base size.

⁴⁷ Fairly unimportant + unimportant combined.

⁴⁸ Indicative finding: small or very small base size.

⁴⁹ Indicative finding: small or very small base size.

⁵⁰ Indicative finding: small or very small base size.

⁵¹ Indicative finding: small or very small base size.

⁵² Indicative finding: small or very small base size.

⁵³ Please see footnote 143 for an explanation of these provider categories.

- The LSP having specialist knowledge or experience in the matter (15);
- The LSP's efficiency (12).

"Knowing that they deal with these issues regularly and would be empathetic." Quantitative respondent verbatim.

"Whether I like them, if they give a good service – the energy they give out, if you feel comfortable around them ... it's not just about qualifications, it's about them as a person." Quantitative respondent verbatim.

Deciding which LSP to use – those who compared versus those who did not compare

- 3.53 As highlighted in Chapter 2 (see 2.18), the majority of consumers in the quantitative sample (77%) had not compared LSPs when looking for a provider to use, with around a fifth (22%) saying they had compared LSPs.
- 3.54 Most of the 166 comparer consumers (92%) compared between two and five LSPs, with an average of three LSPs compared overall.
- 3.55 Consumers who experienced problems at work (39%)⁵⁴ or had conveyancing (29%)⁵⁵ as their legal matter were more likely to have compared LSPs than the sample average (22%).
- 3.56 In the qualitative follow-ups, around half of those interviewed had compared LSPs. Typically, these qualitative participants had compared LSPs by using providers' websites or by speaking to LSPs over the phone.

"I literally put into Google, I can't remember the exact term, but it was something like, 'compromise agreement legal advice' or 'legal advice for compromise agreement' and got the usual numbers of pages and then just clicked into the different ones and read through their websites." Comparer, experienced problems at work, used a barrister.

- 3.57 Around half of those individuals in the qualitative follow-ups who had compared (so around a quarter of the total qualitative sample), had gathered information on the cost of their legal work to compare LSPs. (Consumer approaches to accessing, assessing, understanding and comparing cost information are explored in more detail in Chapters 4 and 6).

- 3.58 However, half of consumers who compared LSPs did not consider cost at all in their comparisons.

"To be honest, I didn't compare them on price. I didn't ring a few and see what their different prices were. I just thought I must get on and get this done and they quoted me a certain price. I had a rough idea in mind of what you should pay. I think this was slightly over the odds, but I thought get on and do with it." Comparer, experienced will-writing, used a solicitor.

- 3.59 Other information which consumers compared between providers included timeliness and efficiency (in responding to queries or having capacity), a general feel of professionalism and good customer service, and the qualifications and experience of the LSP.

"I think again with the cost, and with how effective the person is, at getting things done in a timely way and not having to keep sending information to them when you've already given it them." Comparer, experienced probate, used a solicitor.

⁵⁴ Indicative finding: small or very small base size.

⁵⁵ Indicative finding: small or very small base size.

Reasons for not comparing

3.60 As noted earlier, most consumers (77%) in the quantitative sample did not compare providers. The main reasons given for this were that a trusted recommendation had been received (36%) and/or that the consumer had previous experience of using the LSP (35%).

3.61 Those whose legal matter was conveyancing (48%) were significantly more likely to give the latter reason than the sample average.

3.62 Consumers whose legal matter was family matters were more likely to say they did not compare because their legal matter was urgent (10%)⁵⁶ than the sample average (3%).

3.63 One in six consumers (17%) were happy with the first LSP they looked at, while 16% said they did not have a choice about which LSP to use because they were referred to the LSP by a professional intermediary. Those who had used an insurance company as their LSP (62%)⁵⁷ or whose legal matter was an accident/injury claim (46%)⁵⁸ were more likely than average to give the latter as a reason for not comparing.

3.64 These reasons suggest that, for the most part, consumers did not compare providers because they had used a recommendation or previous experience as the basis for their choice. However, 3% of those who did not compare providers didn't do so because they thought it would be too difficult to do. Non-comparers whose legal matter was probate were more likely than average to give this as a reason for not comparing (8%)⁵⁹. Overall, 34 consumers said they did not compare because they thought it would be too

difficult and/or time-consuming to do (see Figure 3.4).

3.65 Looking at these 34⁶⁰ responses in more detail, the main reasons for feeling it would be too difficult/time-consuming to compare were because the consumers concerned:

- Felt that it would be too much hassle to find all the necessary information (9);
- Did not know how to make comparisons (5);
- Did not know how or where to find all the necessary information to do so (5).

⁵⁶ Indicative finding: small or very small base size.

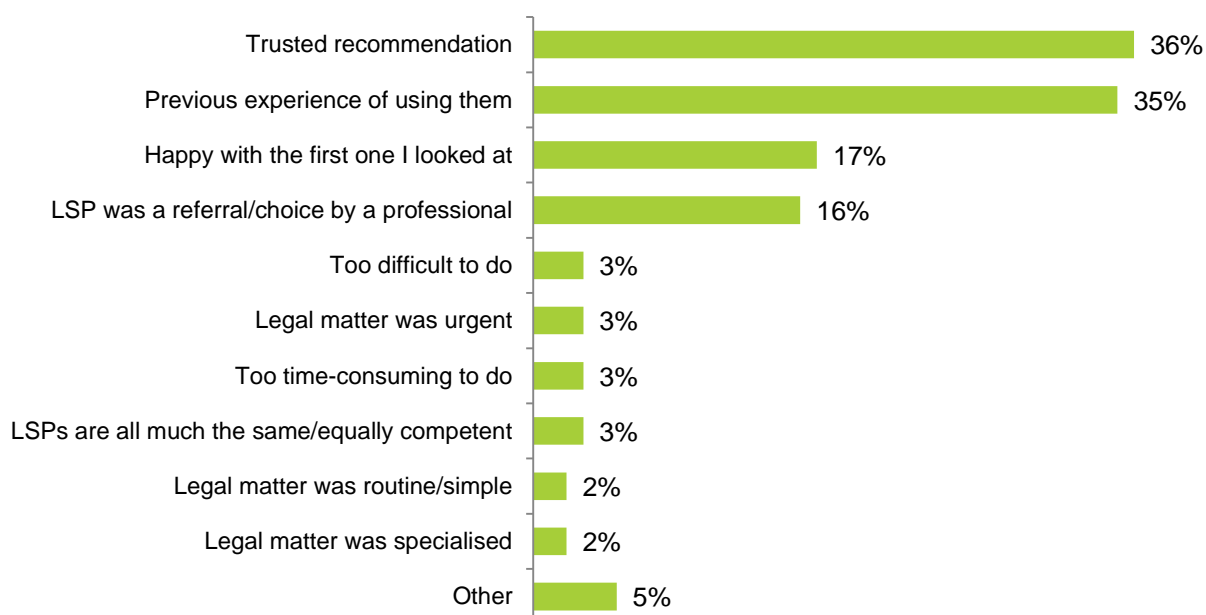
⁵⁷ Indicative finding: small or very small base size.

⁵⁸ Indicative finding: small or very small base size.

⁵⁹ Indicative finding: small or very small base size.

⁶⁰ Indicative finding: small or very small base size.

Figure 3.4: Reasons for not comparing providers (Q.C12; base = 584: all those who did not compare LSPs)



3.66 Follow-up qualitative interviews with consumers provided greater insight into the reasons for why some consumers did not compare LSPs.

3.67 One consumer reported that their solicitor had recommended a conveyancer (who worked for the solicitor on a contract basis) to assist them in purchasing a property. The individual did not consider it necessary to look for other LSPs beyond this recommendation as they had known the solicitor for a long time and trusted their opinion.

"We trusted our solicitor and we knew there was nothing in it for him, it was just that he knew this person and could recommend him and we trusted his judgement so we didn't really look around." Non-comparer, experienced conveyancing, used a solicitor.

3.68 Some consumers did not make comparisons because they had previous experience of using an LSP and were happy with the quality of the work they

had done in the past. One individual reported using the same LSP again because they had proven themselves to be knowledgeable about the area of law in which the consumer needed assistance and because they were seen to have the consumer's interests at heart.

"Everything she did was for the landlord's benefit. I'd had experience of that over the past 4 or 5 years. Her focus wasn't just on tenant matters ... her whole focus was, "These are the relevant bits you need to take from this legislation" and everything was specifically about my interests." Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

3.69 Other respondents did not compare LSPs because they either considered the task of comparison to be too difficult to undertake or for reasons of expediency in case comparing LSPs would slow the process down.

“I just wanted to get it over and done with quickly. I wanted things completed and wanted to get on with it.” Non-comparer, experienced conveyancing, used a solicitor.

- 3.70 Consumers in the qualitative interviews who had compared LSPs reported that although information regarding cost and quality could be gathered via online searches and/or speaking to providers on the phone, the process of making comparisons could be quite time-consuming. Some also found it quite difficult to compare information between providers – often because information was not provided in a standardised format – or because consumers’ lacked knowledge about/experience of legal services.

“I think a car is easier [to compare] because it’s a thing, you can see it, touch it, feel it, you know what you are going to get. It’s not tangible when you’re getting a legal service.” Comparer, experienced problems at work, used a solicitor.

- 3.71 When consumers were asked what, if anything, would encourage them to make comparisons between LSPs in the future several stated that there was nothing that would change their approach. This tended to be the response of consumers who had not compared due to receiving a trusted recommendation or because they had previous experience of using an LSP.

“I don’t think I’ll change anything. I’ll use first and foremost personal recommendations or experiences.” Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline. ”

- 3.72 Other consumers when prompted agreed that if there was an online comparison tool available they would be more inclined to make comparisons between LSPs if they required advice with a legal matter in the future. Consumers stated that something similar to existing websites used to compare car insurance and holidays would be helpful.

“If there was a website which had a database with precedents on it ... that would have been a massive help because that is a resource I could have easily gone to it and gone right, this guy had a similar accident ... this was the amount of compensation, this was the rough amount of time it took and this was the kind of representation he had so I could then go that is what I should start looking for.” Non-comparer, experienced an accident/injury claim, used a solicitor.

4 Accessing, understanding and comparing cost information

4.1 This chapter focuses on the type of cost information consumers accessed to assist with their decision-making on which LSP to use. It also explores how consumers understood and went about using the cost information they had received and, where relevant, how consumers compared cost information:

- In what format did consumers want cost information, and how did this compare to what they received?
- What did consumers do to receive their cost information?
- In what format did consumers most commonly receive cost information and how was this calculated?
- Were there any differences between sub-groups, particularly non-comparers and comparers?

Chapter 4: Key findings

- Half (53%) of quantitative interview consumers said they had at least some idea of the likely cost of their legal service, prior to contacting the LSP, although only one in five (24%) said they knew *exactly* what the cost of the work would be beforehand. This increased to 72% after contact, leaving around a quarter of consumers (23%) without cost information before they committed to using an LSP.
- Of those who had received cost information before committing to using an LSP, around half (49%) had received this only in the form of a quotation, while three in ten (31%) had received this only in the form of an estimate. A further one in ten (11%) had received their cost information as

both an estimate and a quotation.

- Consumers whose legal matter was ongoing and had received cost information before committing to using an LSP, or whose legal work had concluded and had made a final payment, most commonly had their cost information calculated as a fixed fee (65%). Fewer had received cost information on a cost per hour basis (22%), while a small proportion had their costs calculated on a 'no win, no fee' basis (6%).
- Overall, there were no significant differences between comparer and non-comparer experiences of the way in which they accessed cost information, across measures such as knowledge of the cost of the legal work before and after contacting an LSP, the format of the cost information received and how the cost information was calculated.
- Consumers in the qualitative follow-ups had a strong preference for cost information in the form of a fixed fee, with a detailed cost breakdown. They had accessed cost information in a variety of ways, including through direct contact with the LSP (via phone or face-to-face meeting).
- The quantitative survey found that nearly two thirds of consumers who had compared providers (n=166) said it was easy⁶¹ to make cost comparisons between LSPs.
- However, amongst comparers, a fifth (20%, n=33) said that making cost comparisons was difficult to do. This was due to information not being supplied in a standard or like-for-like way (17); or difficulties in getting cost information from some or all providers (16).

⁶¹ Very + fairly easy combined.

- Generally consumers who took part in the qualitative interviews felt that their cost information was easy to understand.

Accessing cost information about LSPs

When consumers accessed cost information

- 4.2 The quantitative interviews explored how much consumers knew about the likely cost of their legal service both before and after contacting an LSP (but before making a decision to use the provider).
- 4.3 Half (53%) of consumers said they had at least some idea⁶² of the likely cost of the legal service provider's work before they had made direct contact with the LSP, although only one in five (24%) said they knew *exactly* what the cost of the work would be beforehand. Moreover, over two in five (45%) said they had no idea at all of the potential cost of their work before they contacted the LSP. Those who had participated in the qualitative follow-ups had most commonly gathered their cost information by looking at an LSP website or a brochure/leaflet.
- 4.4 As Table 4.1 shows, there were no significant differences between consumers who did and did not compare LSPs, in terms of the likelihood that they had or did not have an idea of costs before contacting a provider.
- 4.5 Consumers whose legal matter was will-writing were more likely to say they knew exactly what the likely cost would be before they made direct contact with the LSP (32%), compared to the sample average.
- 4.6 Consumers whose legal matter was neighbour disputes (90%)⁶³ or an accident/injury claim (61%)⁶⁴ were more

likely to say they did not have any idea what the cost of their legal service would be before directly contacting their LSP, compared to the sample average.

- 4.7 Those satisfied with the quality of their legal service were significantly more likely to have had a rough (30%) or an exact (26%) idea of the likely cost compared to the sample average (28% and 24% respectively).

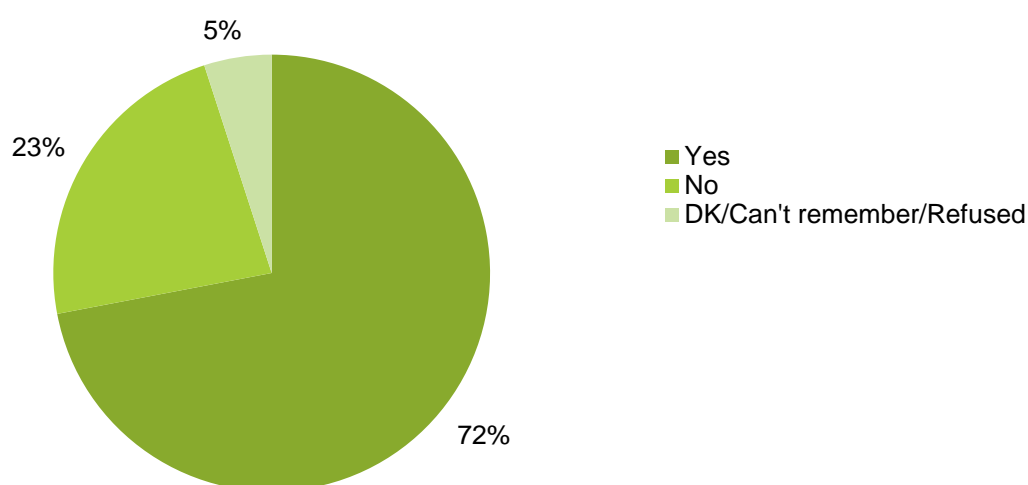
⁶² Knew *exactly* + knew *roughly* combined.

⁶³ Indicative finding: small or very small base size.

⁶⁴ Indicative finding: small or very small base size.

Table 4.1: Extent to which consumers had an idea of the likely cost of the LSP's work, before making direct contact (Q.C10/D11; base = 750: all eligible)

	All respondents	Non-comparers	Comparers
Yes – I knew exactly what it would be, because all their prices were already available	24% (183)	24% (142)	24% (40)
Yes – I knew roughly what it would be, because a guide to their prices was already available	28% (211)	27% (156)	33% (55)
No – I didn't have any idea	45% (340)	46% (268)	42% (70)

Figure 4.1: Proportion of consumers who had received cost information after making direct contact with an LSP (Q.C7/D8; base = 750: all eligible)

4.8 After making contact with a provider (but before signing an agreement or otherwise making a commitment to use them), the proportion of consumers with cost information rose to 72% (see Figure 4.1). Whilst a positive increase in the proportion of consumers with cost information, this leaves around a quarter (23%) of consumers without information on the cost of the legal service provided by the LSP they were committing themselves to use, after contacting the provider.

4.9 A small number (28) of consumers who said that they had a rough idea of what the cost information would be before contacting an LSP, did not receive any cost information after contact with the

LSP. Presumably, when these consumers said they knew roughly what the likely cost would be before contacting an LSP, this view had been guided by informal sources such as word of mouth from friends/family or information sources such as promotional leaflets/brochures rather than by speaking directly to the LSP about the particularities of their legal matter.

4.10 Those whose legal matter was conveyancing (87%) were significantly more likely to say they did receive cost information after direct contact with their LSP compared to the sample average.

- 4.11 Consumers who experienced an accident/injury claim (61%)⁶⁵ were more likely to say they did not have any idea what the cost of their legal service would be before making direct contact with the LSP compared to the sample average; and to not have received any cost information after direct contact with their LSP (37%)⁶⁶ compared to the sample average.
- 4.12 Consumers who used a licensed conveyancer (100%)⁶⁷, financial provider (90%)⁶⁸ or solicitor (77%) were more likely to say they received cost information after direct contact with their LSP compared to the sample average; those who used an insurance company (55%)⁶⁹ or council/LA advice service (27%)⁷⁰ were less likely to say this.
- 4.13 Consumers who had compared LSPs were significantly more likely to have received cost information after contacting their LSP (84%) compared to those who did not compare LSPs (69%).
- 4.14 The qualitative interviews found that consumers varied in terms of their proactivity in accessing cost information. There was a fairly equal balance between those who had contacted their LSP for cost information or had requested it from them, and those who had simply been given it as part of the LSP's usual practice.
- 4.15 The fact that nearly three quarters (73%) of consumers in the quantitative survey only had a rough indication – at best - of what the cost of their legal matter would be before they made direct contact with the LSP, resonates with some of the qualitative interview findings.

- 4.16 There were a minority of consumers who had not even thought about what cost information they wanted from their LSP in advance of contacting them, and had not requested any information on contact.

"I'm not sure I asked about cost at the first meeting with the second solicitor as it was a free meeting and I don't think cost was mentioned. But I think I asked for a fixed fee on the phone later when I confirmed that I wanted to proceed."
 Comparer, experienced problems at work, used a solicitor.

- 4.17 Among those who had identified their LSP via a recommendation (from family/friends/a professional third-party), some had received a rough indication of the likely costs of the legal work from those making the recommendations.
- 4.18 In the case of recommendations from family/friends, this tended to be based on the recommending party's prior experience with the LSP for their own legal matter. Where a recommendation was received from a professional third-party, the cost information similarly was sometimes provided by them to the consumer as a 'guideline price', based on the third-party's experience of working with the LSP previously.
- 4.19 At times, this guidance on cost had influenced consumer decisions to choose the LSP recommended.
- 4.20 However, there were also cases where the recommendation had not included any cost information, and the consumer had to obtain it themselves – usually by contacting the LSP direct to enquire about costs. In a few cases where consumers trusted their recommendation from family/friends, cost information was gathered as a secondary consideration, after choosing the LSP to use (based on the recommendation).

⁶⁵ Indicative finding: small or very small base size.

⁶⁶ Indicative finding: small or very small base size.

⁶⁷ Indicative finding: small or very small base size.

⁶⁸ Indicative finding: small or very small base size.

⁶⁹ Indicative finding: small or very small base size.

⁷⁰ Indicative finding: small or very small base size.

“We had a rough idea [of cost] from discussions with friends who made recommendations. And also some idea of ball park because of my wife’s previous job with a law firm.” Comparer, experienced probate, used a solicitor.

- 4.21 A few only had a rough idea of the likely cost based on prior experience with a similar legal matter.

How consumers accessed cost information

- 4.22 The qualitative follow-ups found that consumers accessed cost information in a variety of ways. Obtaining information over the phone, during initial/kick-off meetings with the LSP, or by letter/in an email were all mentioned.

- 4.23 Cost information was most commonly sought out by consumers in advance of committing to a particular LSP to use or while they were still looking around for a provider. This was linked to the fact that consumers tended to have a budget for the cost of their legal work (so their decision of whether or not to use an LSP was somewhat influenced by the likely cost of the work).

“We got an indicative figure at an early first stage and we agreed to proceed on the basis of that.” Comparer, experienced will-writing, used a solicitor.

- 4.24 A few who received their cost information over the phone or via a face-to-face meeting expressed a preference for this information to be written down in an email or letter in addition, so they would have a record of the information. In some cases, the initial conversation with the LSP was then followed-up with an email/letter from the LSP to confirm the costs discussed.

“It [the cost information] was a phone call, and they both, you know, sent a quotation through by email.” Comparer, experienced problems at work, used a barrister.

What consumers did to access cost information

- 4.25 In order to receive cost information from a provider, four in ten (41%) of those who said in the quantitative survey that they were provided with cost information (66% of all consumers) had needed to share information on just the legal matter itself with the provider. A further three in ten (32%) had needed to provide a limited amount of background information in addition.

- 4.26 However, a quarter of consumers (25%) said they had needed to share a detailed amount of information on the nature of their legal matter and other relevant background context in order to be provided with cost information (see Table 4.2). Consumers without previous experience of a provider (33%) were significantly more likely to fall into this group than those with previous experience (22%).

- 4.27 Those whose legal matter was will-writing (53%) or conveyancing (49%) were significantly more likely to say that providing information to their LSP on ‘just the legal matter itself’ was sufficient to receive cost information, than the sample average.

- 4.28 Consumers whose legal matter was visa/immigration matters (60%)⁷¹ or problems at work (47%)⁷² were more likely to say they had to disclose the legal matter plus detailed information, compared to the sample average.

- 4.29 As Table 4.2 shows, there were no significant differences between the

⁷¹ Indicative finding: small or very small base size.

⁷² Indicative finding: small or very small base size.

experiences of consumers who did and who did not compare LSPs, in terms of the level of information shared in order to receive cost information from providers.

Table 4.2: Amount of information consumers' shared with LSPs in order to receive cost information (Q.C11/D12; base = 500: consumers provided with cost information)

	All respondents	Non-comparers	Comparers
Just the legal matter itself was enough	41% (204)	42% (154)	37% (50)
The legal matter plus a limited amount of background and other relevant information	32% (159)	31% (112)	35% (47)
The legal matter plus detailed disclosure of background and other relevant information	25% (125)	25% (90)	26% (35)

Format of cost information received by consumers

- 4.30 Having established what consumers had to do to receive cost information, the quantitative survey also explored what form the cost information took – this was asked of consumers as a multicode question so they were able to identify where they had received cost information in more than one format.
- 4.31 Figure 4.2 shows that cost information was most commonly provided in the form of a quotation – 61% of consumers had received this, with around half (49%) just receiving a quotation. This was followed by an estimate, received by 42% of consumers, with three in ten (31%) just receiving an estimate. Around one in ten consumers (11%) had received both an estimate and a quotation. A small proportion had received neither an estimate nor a quotation (8% of all those who had received cost information); generally, these consumers had received their legal service for free/pro bono or were unsure what form their cost information had taken.
- 4.32 Those whose legal matter was probate were more likely to say they had received only an estimate (53%)⁷³, and less likely

to have received only a quotation (35%)⁷⁴ compared to the sample average.

Consumers who had used a solicitor were significantly more likely than the average (36%) to have received only an estimate.

- 4.33 Consumers who had used a will writer (87%)⁷⁵ or whose legal matter was will-writing (64%) or conveyancing (59%), were more likely to say they had received a quotation only compared to the sample average.
- 4.34 Those whose LSP type was regulated were more likely (35%) to say they received an estimate only compared to those whose LSP type was unregulated (9%)⁷⁶ or other (12%)⁷⁷.
- 4.35 Again there were no significant differences between the non-comparer and comparer sub-groups in how their cost information was provided.

⁷³ Indicative finding: small or very small base size.

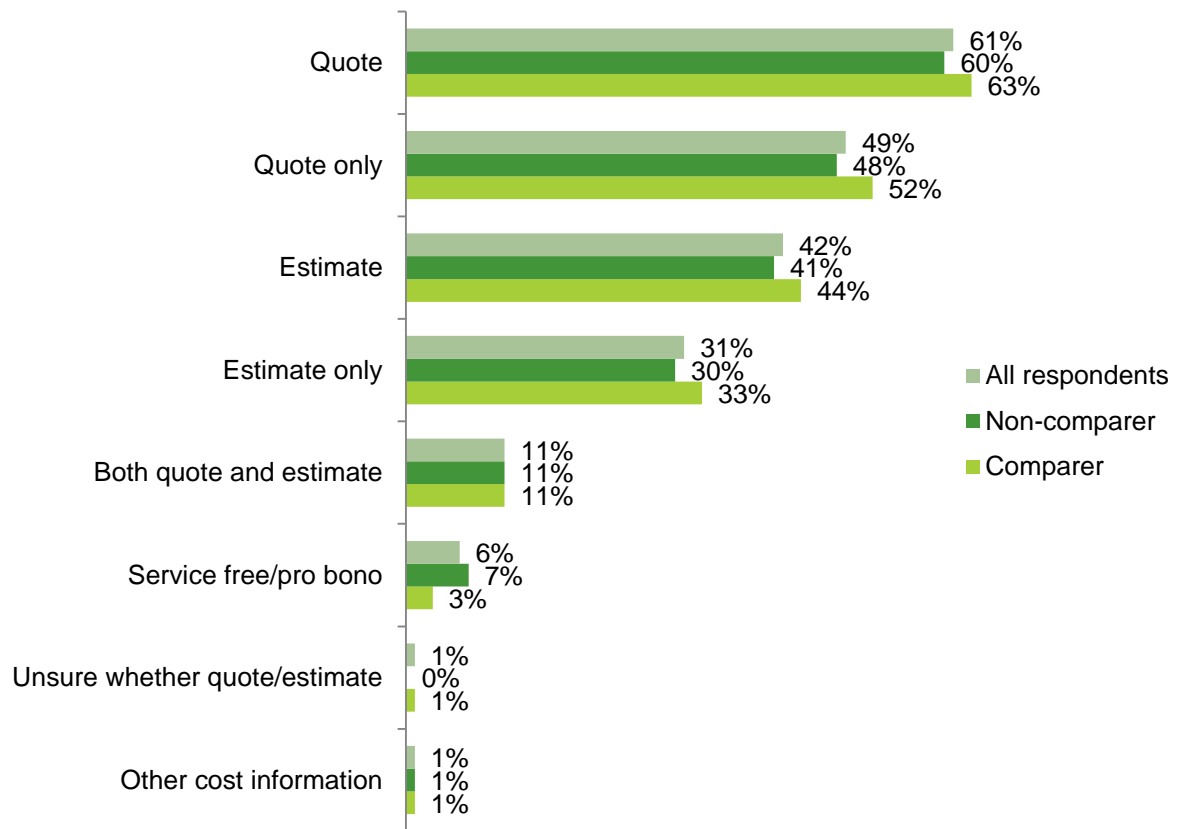
⁷⁴ Indicative finding: small or very small base size.

⁷⁵ Indicative finding: small or very small base size.

⁷⁶ Indicative finding: small or very small base size.

⁷⁷ Indicative finding: small or very small base size.

Figure 4.2: The nature of the information received by consumers on the cost of the legal service
(Q.C8/D9; base = 541: consumers who received cost information from their LSP before signing an agreement)



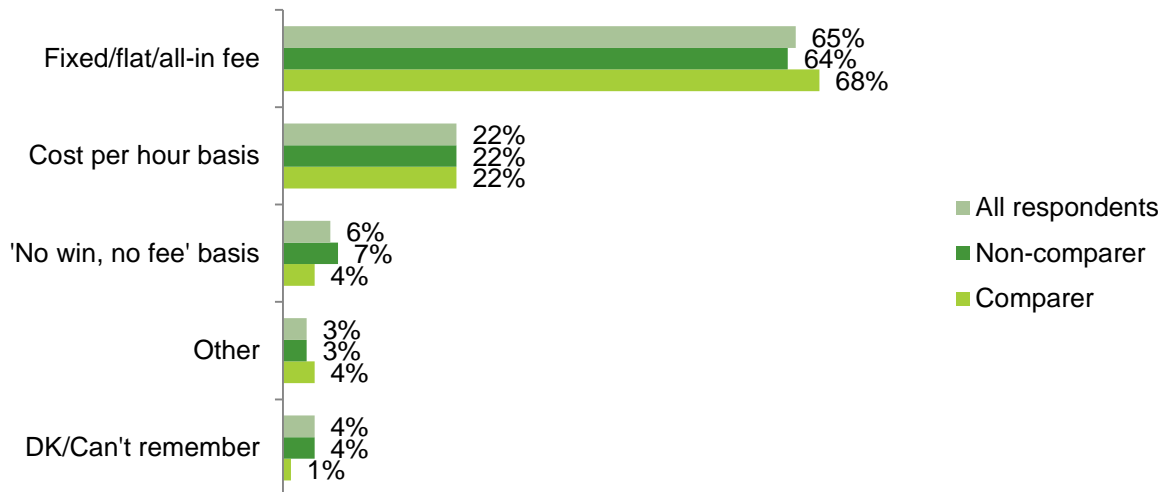
4.36 Consumers were also asked how their cost information was calculated (for those whose legal matter was ongoing at the time of the interview, had received cost information and were paying for their legal service), or how their final payment had been calculated (for those whose legal matter had concluded and had paid for their legal service).

4.37 Legal service providers most commonly calculated their costs as a fixed/flat/all-in fee – the format received by around two

thirds (65%) of consumers – followed by a cost per hour basis, received by a fifth (22%) (see Figure 4.3).

4.38 There were no significant differences between the non-comparer and comparer sub-groups in terms of how their costs were being or had been calculated.

Figure 4.3: Calculation of cost information/final payment received by consumers (Q.C9/D10/E2; base = 499: all whose legal work was ongoing and had received cost information or whose legal work had concluded and had made final payment)



Statistically significant differences between sub-groups

- Those whose legal matter was conveyancing (86%), who had used a financial provider/adviser (86%)⁷⁸, or experienced will-writing (84%) were more likely to have had the cost of their work calculated on a fixed fee basis compared to the sample average.
- Those whose legal matter was probate (53%)⁷⁹ or family matters (43%)⁸⁰, or who had used a solicitor (26%), were more likely to have had the cost of their work calculated on a cost per hour basis compared to the sample average. (Overall, though, most users of solicitors (65%) said they would pay or had paid a fixed fee price.)
- Those whose legal matter was an accident/injury claim were more likely to have had the cost of their work calculated on a 'no win, no fee' basis (53%)⁸¹ compared to the sample average.
- Those without previous experience of using an LSP (10%) were significantly more likely to have had the cost of their work calculated on a 'no win, no fee' basis compared to those with previous experience (4%).

4.39 Of the 253 consumers whose case had concluded and whose final payment had been calculated as a fixed fee, half (50%) received this as a fully inclusive fee and a similar proportion (45%) as a fee inclusive of specified services. Of these:

- Those whose legal matter was will-writing were more likely to receive their fixed fee as a fully inclusive fee (75%)⁸², compared to the sample average;

- Those whose legal matter was conveyancing were significantly more likely to receive their fixed fee as a fee inclusive of specified services/charges (64%), compared to the sample average;
- Those who used a regulated provider were significantly more likely to receive their fixed fee as a fee inclusive of specified services/charges (48%), compared to the sample average.

4.40 Of the 52 consumers whose final payment had been calculated as a cost per hour, most (31) had received this as an estimate of the number of hours likely to be needed for the work, while a further 15 had received this as an estimate without the number of hours.

4.41 Thirteen consumers had their final payment calculated on a 'no win, no fee' basis, five of whom reported a contingency fee arrangement and three of whom reported a conditional fee arrangement. More than half of these consumers (8) had experienced an accident/injury claim as their legal issue. Those with a payment calculated in this way were around four times more likely than those whose payment was calculated on a fixed-fee basis to make a complaint about their LSP⁸³.

Understanding cost information

General understanding

4.42 As mentioned earlier (see 4.23), most consumers in the qualitative follow-ups had gathered information on the likely cost of their legal matter before committing to use a particular LSP or even while they were still looking for a provider (i.e. pre-purchase). However, in giving their views on the extent to which they understood the cost information they had received, it proved difficult to unpick whether the

⁷⁸ Indicative finding: small or very small base size.

⁷⁹ Indicative finding: small or very small base size.

⁸⁰ Indicative finding: small or very small base size.

⁸¹ Indicative finding: small or very small base size.

⁸² Indicative finding: small or very small base size.

⁸³ Indicative finding: small or very small base size.

information they referred to was pre- or post-purchase cost information (and potentially for those whose legal matter had concluded, final billing information). This was often because consumers themselves did not make this differentiation during the interviews. Also, some had received pre-purchase cost information from several providers they had compared but tended to talk about this experience collectively – that is, they generally did not differentiate between the cost information provided by different LSPs (unless they were markedly different).

- 4.43 Consumers in the qualitative follow-ups generally felt that LSP cost information was straightforward and easy to understand. This was often because it was laid out in a similar format to a bill or invoice, which consumers were familiar with.

“That bit I found quite easy to understand ... That was very clear ... the format was perfect. It was clear, like a bill of any other kind.” Non-comparer, experienced conveyancing, used a solicitor.

- 4.44 In a few cases, though, consumers had struggled to understand the cost information they had received. This was linked to a general lack of understanding of how legal services work – consumers felt that they did not have a basis on which to judge whether or not the cost information was correct or reasonable.

“Well, I think that what would have been helpful was if there had been some clear guidelines. From the client’s point of view, about how options for reducing costs, options for how you negotiate costs at the beginning, what you’re going to pay for? What you’re not going to pay for? What you can do yourself? What they do? Whether you can use subordinates, you know, juniors to do certain work? How much you’ll have to pay for them to communicate with their seniors? All that sort of stuff and that’s not really explained very clearly anywhere. It would have been helpful to have more sense of control of the process myself, with that information would’ve helped in that respect.” Comparer, experienced family matters, used a solicitor.

- 4.45 Most consumers felt they were given the right level of detail in the cost information from their LSP, and had generally received this in the format that they desired.

“It was all laid out. Her Ts&Cs came through almost the same day, “This is how much I charge. I’m guessing I’m going to have to spend half a day on this initially. My charge rate is £XX or £XX an hour”. She kept me very well-informed.” Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

- 4.46 However, the information was considered to be quite vague by some consumers. This applied before they had contacted an LSP, where only a rough estimate was provided on the LSP’s website or in a brochure/leaflet. In these cases, there was a desire to have a more precise cost breakdown for their particular legal matter and this was often the reason behind consumers contacting the LSP.
- 4.47 Around a quarter of those who participated in the qualitative follow-ups were among the 23% of consumers in the

quantitative survey who had not received any cost information after contacting the LSP (and before committing to use them) (see 4.8).

"It was quite vague due to it only being a ballpark figure given over the phone. And based roughly on the length of time it would take to get to judgement. The quotes I did get were very ambiguous ... There was no clarity in the communications over price." Non-comparer, experienced an accident/injury claim, used a solicitor.

"I looked at their websites but they didn't include enough information about costs on things I knew I would need – nothing was very clear. It was just some standard cost information like hourly rates for face-to-face and telephone consultations. Others offered costs as a more fixed/bundled fee with caveats. It was not easy to get a good idea of costs from the others I looked at but [the LSP chosen] was very upfront about costs from the beginning." Comparer, experienced probate, used a solicitor.

A quotation versus an estimate

- 4.48 Overall, most consumers who participated in the qualitative follow-ups felt that they could differentiate between a quotation and an estimate. Consumers associated a quotation with a fixed amount cited by their LSP for the work done, and an estimate as being a rough guide of the final cost from the LSP – usually based on the nature of the legal matter and/or the anticipated amount of time required for working on the legal matter.
- 4.49 However, in a few cases consumers were unsure of the difference between an estimate and a quotation of cost.

"She [the LSP] said, 'This is what it will cost unless there is some extra.' You know, she told me what would be included in that. I don't know if there's a difference between a quotation and I don't know what you'd define this one as." Comparer, experienced problems at work, used a solicitor.

Helping consumers to understand cost information

- 4.50 There was a strong preference amongst the qualitative respondents to have cost information upfront, that is, on first contact with the LSP.
- 4.51 Consumers wanted this information to be precise and, understandably, as close as possible to the actual cost for the service.
- 4.52 In general, the desired format for cost information was as a fixed fee, with both an overall amount and a detailed breakdown of costs for each task. A few consumers also mentioned wanting initial consultation fees provided separately in the cost information to the rest of the work done.
- 4.53 In a few cases where cost information was provided on a per hour basis, even with an estimate of hours, consumers expressed frustration at not being able to know in advance the final payment amount, because of uncertainty around the length of time their legal matter would take to resolve and/or the number of hours to be worked by the LSP. Consumers held the view that the estimate of hours worked could change and therefore receiving cost information in this format was not considered to be useful.

"I'd like to know what the bottom line is but that's an impossibility because how long is a piece of string? How long is a case like that going to take?" Non-comparer, experienced probate, used a solicitor.

- 4.54 For example, one consumer who had received their cost information as an hourly rate would have liked further explanation of how this was calculated – particularly in terms of how time that was less than an hour was costed (whether it was rounded up or down and what it was rounded to).

"They tell you what their hourly rate is and they give you a rough estimate of what they think your case is going to cost. In my experience, first of all, they don't break it down. Again, I didn't realise for a really, really long time, that if I even spoke to a solicitor, for one minute on the phone, I would get charged for much longer than a minute ... I didn't realise that if I sent an email, I would be charged for them opening that email or reading that email and replying to that email. I don't think they're nearly transparent enough about how they bill. The other thing is ... they massively underquote. They don't tie it down. They don't say, 'It's going to take this many hours or be involved in your case so therefore we think the estimate will be this.' They just give you their hourly rate and then they give you a figure for what they think the overall cost is likely to be."
 Comparer, experienced family matters, used a solicitor.

- 4.55 However, there were also positive examples of LSPs going 'above and beyond' consumer expectations of the final cost of the service provided.

"It was more of an hourly fee and perhaps because she did discuss, 'This should be perhaps 4 or 5 hours in total, I'm sure it won't be much more than that'. It ended up a lot more than that so she rounded it down. She did me a good favour. She said, 'Look, I'll be able to use this in my seminars. We've both learned a bit from it,' and she cut it right back to the bone for me in the end."

Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

- 4.56 It was also important for consumers that their LSP communicated any changes to cost information on a regular basis, to ensure that the final cost was not substantially different to the initial cost information. Being informed upfront of the potential for additional costs – what for and how much – was also identified by consumers as useful, but generally missing from the initial cost information they had received.
- 4.57 It was common for consumers to mention that they wanted to avoid any 'hidden charges', for example.

"We needed to get something certified by the solicitor so there was a charge for that and it was a cost we didn't anticipate."

Comparer, experienced probate, used a solicitor.

- 4.58 Generally then, there was a desire for greater transparency and further detail in the cost information from LSPs, to help fully understand how the costs had been calculated.
- 4.59 It is also noteworthy that consumer views on cost were influenced by their relationship with the LSP. Where consumers were familiar with an LSP, cost information was less important because they felt confident the costs would be reasonable, based on their previous experience of using the provider.

"I can't remember [what cost information I wanted] but because I haven't been overcharged by her before. I just knew that she wasn't going to overcharge me."
Non-comparer, experienced probate, used a legal executive.

Comparing cost information

4.60 In the quantitative survey, the 166 consumers who compared LSPs were asked specifically how easy or difficult they had found it to compare cost information (see Figure 4.4).

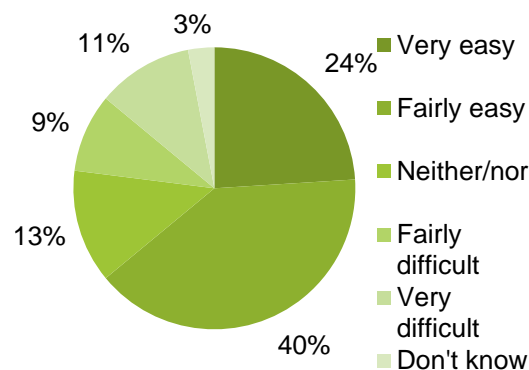
4.61 Most comparers said they found this easy⁸⁴ to do (64%). Those whose legal matter was conveyancing were more likely to say it was easy to compare costs (82%)⁸⁵ than the sample average. This might reflect the fact that consumers experiencing conveyancing were more likely to receive their cost information as a fixed fee, i.e. having a single amount to compare across providers.

4.62 Comparers who were satisfied with the quality of the legal service they received were also more likely than average (73% vs. 64%) to say it was easy to compare costs.

4.63 A small number (33 consumers) said that it was difficult to compare costs. The problems they had experienced included:

- Information not being supplied in a standard or like-for-like way (17);
- Difficulties getting cost information from providers (16);
- Different items that made up the cost information not being separated out or broken down in a clear way (8).

Figure 4.4: Ease of comparing LSPs on cost (Q.D13; base = 166: all who compared LSPs)



4.64 Around half of the consumers in the qualitative interviews had compared LSPs in some way; of these, around half in turn said that they had compared cost information.

4.65 Most cost comparisons were fairly high level – involving consumers looking at prices online or as listed in LSP leaflets/brochures. However, a few did go beyond this, contacting several LSPs to ask for more detailed cost information as an estimate or quotation.

4.66 One consumer had spent a few days researching LSPs and comparing cost information – but this was very much the exception to the norm.

4.67 Those who had compared (or had tried to compare) LSPs on cost had a varied experience in terms of the information they received – some found that the LSPs they compared charged similar fees (e.g. for will-writing or probate) whereas others found that fees varied quite considerably (e.g. for an accident/injury claim).

4.68 Consumers in the qualitative interviews gave similar reasons for not comparing cost information to those given in the quantitative survey.

⁸⁴ Very + fairly easy combined.

⁸⁵ Indicative finding: small or very small base size.

“If they had that information on the website but I don’t think they do, I don’t think on their websites it’s very clear that house conveyancing is X amount I think you’d have to phone up to get that comparable information.” Non-comparer, experienced conveyancing, used a solicitor.

“I don’t think I’ll change anything. I’ll use first and foremost personal recommendations or experiences and if I can’t find a provider I want, I’ll look online and meet the people face-to-face and make a judgment after that. I won’t do anything differently.” Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

4.69 Those interviewed in the qualitative follow-ups and who had not compared cost information, generally did not feel the need to. This was linked to a variety of reasons, most commonly because any guidance on cost provided by a recommendation from a family/friend/third-party was considered sufficient, or because consumers were happy with the initial cost information they had obtained and did not feel the need to enquire into this any further.

5 Understanding and judging quality

- 5.1 This chapter examines how consumers understand and judge quality. A key focus of the qualitative interviews was seeking to understand and explore consumer views on the quality of the service they had received – what this included, how, if at all, consumers made judgements on the quality of the advice and service they received (including the use of any quality indicators), and whether or not they distinguished between legal advice and legal service when assessing LSP quality.

Chapter 5: Key findings

- Consumers in the qualitative interviews said that they had used a variety of indicators to judge LSP quality – customer service and building a rapport with the LSP were particularly important. LSP qualifications/experience, and reputation were also considered important quality indicators.
- A recommendation was in itself taken to be an indicator of the quality of the LSP.
- Overall, cost was least associated with quality as a factor, although some did associate low costs with poor quality of service.
- Consumers tended to assess quality in terms of standards of customer service rather than the legal advice provided. This was linked to a general lack of knowledge about legal services and subsequently a lack of confidence among consumers in their ability to assess the quality of legal advice received.
- Consumers had not heard of quality mark schemes for legal services.
- The majority used customer reviews as a quality measure when evaluating services in general. A few had used customer reviews for assessing their

LSP. Most consumers said they would like to use customer reviews in future for evaluating legal services but were uncertain of where these could be found, and about a quarter said they would be reluctant to use reviews on LSP websites as these were considered more promotional than reliably informative.

- Subsequently, the qualitative interviews suggest that consumers tended to draw on ‘softer’ indicators of quality – such as ‘gut feel’, a sense of trust and their interaction with the LSP – than formal indicators, when choosing an LSP to use.
- Generally, consumers felt that a lack of easily accessible information on LSPs or a central resource made it difficult for them to assess the likely quality of their LSP in advance of the LSP working on their legal matter.

Consumer views on quality

- 5.2 The qualitative interviews sought to explore how consumers understood different aspects of quality – specifically, quality of legal advice and quality of legal service. When prompted, consumers generally understood ‘quality of advice’ as the legal work done by their LSP, and associated ‘quality of service’ as the customer service delivered by their LSP.
- 5.3 Consumers felt strongly about the importance of customer service when judging the quality of their LSP – this was an area they felt confident making quality judgements on. Good customer service was also associated with having a personable LSP with whom a relationship could be built – and therefore intrinsically linked with the perceived trustworthiness of the LSP.

"Someone who is willing to spend time with you and the person I had I felt comfortable with ... he took the whole agreement step by step and explained absolutely every little bit and that to me made for a quality service." Comparer, experienced problems at work, used a solicitor.

5.4 After customer service and a good rapport, other important quality indicators identified by consumers were:

- The qualifications and relevant prior experience of the LSP;
- The brand and reputation of the LSP.

5.5 These quality factors were generally consistent with the quantitative data explored earlier (see 3.36), where consumers had been asked to identify the importance of five factors to them when deciding which LSP to use.

5.6 For consumers who participated in the qualitative follow-ups, overall cost was considered least important to consumers as an indicator of quality. However it was a factor in consumer decisions about whether or not to appoint an LSP – because consumers tended to have a maximum budget.

"Well, cost is an issue, but it's not the only issue. You want also reliable, effective service." Non-comparer, experienced problems at work, used a solicitor.

"It's not very important ... I don't worry too much about getting the cost of something. I usually set in my mind how much I can afford for it. If it's within that or not too much above it ... That's how I assess it really." Non-comparer, experienced probate, used an accountant.

5.7 A few consumers said that they had judged the quality of their LSP using 'gut

feel' or 'instinct'. When probed, consumers had linked this to their personal interaction with the LSP, and the rapport they built with them.

"Gut really to be perfectly honest. I mean you hear of some solicitors out there on the 'no win, no fee' thing that are just "get it done as quickly as possible", whereas this guy did explore other avenues with me." Comparer, experienced problems at work, used a solicitor.

5.8 Consumers identified a number of factors they associated with quality of service at a general level (i.e. across any number of services) and specifically to legal services and their experience of using an LSP. These often overlapped.

Specific quality factors/indicators used by consumers

Customer service

5.9 It was important to consumers in general that they receive good customer service – service that was friendly and efficient.

5.10 Regular communication – preferably over the phone – was considered a key aspect of customer service, as was the availability of the service provider and their speed of response to any queries.

"Something every legal provider should have ... I know if they had to explain every legal process and jargon and complicated process, it can add time and be hard to explain to a layman but transparency in terms of if someone says they will call you back they call you back or they are honest and say I have a massive caseload this week but I am dealing with your case." Non-comparer, experienced an accident/injury claim, used a solicitor.

5.11 Consumers wanted to know that their legal matter was as important to their LSP as it was to them. Feeling that the LSP cared about the legal outcome mattered to

consumers. Listening to the consumer was considered a key aspect of good quality customer service.

"It sounds like a stupid thing to say but someone who can genuinely take down the information you give them and have it researched and ready so the next time you pick up the phone you are not re-explaining yourself ... commitment to having a specialised knowledge in the type of case you are going for ... listening to the case and genuinely recording stuff and being able to speak to the same person every time." Non-comparer, experienced an accident/injury claim, used a solicitor.

5.12 Similarly, being communicated to in a way that was understandable and free from legal jargon was also identified as a quality factor for consumers.

5.13 These aspects of customer service were linked to how consumers felt about their interactions with LSPs. It was important to feel comfortable and that the LSP was being genuine and personable. Some consumers used customer reviews – for example, on the LSP website – to help glean evidence of this.

"They had reviews and references on their website with people's experiences on the site of the one we chose. That was a big factor. We were looking to see that they were friendly, that they worked well and kept you well-informed – that was important. That people felt like they were having a good experience." Comparer, experienced problems at work, used an insurance company.

5.14 Having a positive interaction and relationship with the service provider particularly stood out as a quality indicator for legal services compared to services generally. This is perhaps linked to the sensitive nature of legal matters, and/or the fact that consumers tended to be less

knowledgeable/certain about legal services matters than other types of service (such as travel providers, for example). For a few consumers, these 'softer' aspects or indicators of quality were more important than other, 'formal' measures such as LSP qualifications or experience.

Expertise/qualifications/experience

5.15 Generally, consumers felt it was important that any service provider (including LSPs) be suitably qualified or experienced in their area of specialism, as an indicator of quality. Knowledge was also linked to being trusted by the consumer to do a good job.

"Commitment to having a specialised knowledge in the type of case you're going for. I know that there are more and more companies now that say, "Oh, we deal with motorcyclists, we deal with car drivers" ... and some kind of guarantee that they will see that through ... they'll get you through the door saying, "We're motorcyclist specialists," and then, for example, say to you, "Oh, in your car accident," which is what I've had before. I said, "Well no, you know it's a motorbike ..." Then they're, "Oh sorry, I seem to have a different detail on the case"." Non-comparer, experienced an accident/injury claim, used a solicitor (referred from insurance company).

“Knowledge about the subject matter. I mean, that’s first and foremost. They need to be current on all the latest law matters and they need experience in dealing with those issues. Or, they need experience in dealing with very similar issues to what I’m presenting to them, and they know a clear direction of where we might go with those issues or problems that I had got, that got a clear direction at those early stages ... This is where I need to invest my time and money.” Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

- 5.16 Linked to this, consumers wanted to be able to ask questions of their LSP and feel confident in the LSP’s ability to answer them.
- 5.17 Consumers also mentioned job role/position as an indicator of quality – where a senior member of staff was considered more likely to provide higher quality service than their junior counterpart.
- 5.18 These factors were particularly important in the context of legal services compared to services generally – because consumers felt that the LSP would need to be sufficiently ‘equipped’ to ‘take on’ their legal matter and ‘fight their case’.

“That they have areas of specialism. Also how long they have been practising – though it can work either way, longer experience can be greater knowledge but sometimes a newer solicitor might have more recent knowledge and be more enthusiastic. I have tried to ask about experience of similar cases and some gave me very good answers about cases they had done. You do want a confident and experienced firm to be able to take on an institution.” Comparer, experienced problems at work, used a solicitor.

Cost and value for money

- 5.19 Feeling that the cost of a service is reasonable or fair – for the amount of work, and the nature of the service provided – was also identified as an indicator of quality by some consumers.

“I don’t want price to be the dictator. If somebody is really nice you don’t mind paying for it and competency which is very difficult to capture.” Comparer, experienced probate, used a solicitor.

- 5.20 However, it’s worth noting that for most, cost was not a quality factor at all.

“Cost, I suppose [was the least important], because cost, you know ... once we decided we were going to do it and decided that we wanted it done properly, cost kind of became reasonably irrelevant.” Comparer, experienced will-writing, used a solicitor.

- 5.21 Consumers were more likely to associate particularly cheap or low-cost legal services with poor quality than they were to associate higher costs with higher quality. A few consumers said that, in hindsight, they would give less importance to cost as a quality indicator, having used an LSP and let cost influence their choice. This view was expressed by consumers with varying attitudes to cost – a few who had associated higher costs with higher quality, and a few who had allowed lower cost to influence their choice of LSP (and subsequently felt this had impacted on the quality of the work they had received).

“I believe that generally you get what you pay for so if anything is too cheap, I probably won’t even look at it. I will err towards the most expensive and either go for that or a known brand, but if it’s ridiculously expensive, I will only at that point give it any real thought.” Comparer, experienced problems at work, used a solicitor.

“Initially found and contacted names I recognised in the Yellow Pages – probably from TV/radio ads. They were all known nationally as accident claims specialists. Also checked possible fees with two solicitor firms locally that I’d had dealings with.” Non-comparer, experienced an accident/injury claim, used a solicitor.

“I wouldn’t buy a cheap car because I’d be thinking, well, there’ll be problems with it. I should have thought about that maybe with a solicitor.” Comparer, experienced probate, used a solicitor.

“When we’d used them that time, it was a case of I was moving up to Leeds from the south, so it was the big company and the name, rather than anything else. I think, you know, looking back, I think you just struck lucky that we got somebody that was really good.” Non-comparer, experienced conveyancing, used a solicitor.

- 5.22 Consistent with findings reported earlier (see 4.50), transparency of cost information was also considered important, particularly in the context of legal services where consumers felt less knowledgeable or confident than other service areas. Consumers felt more able to judge the likely quality of the LSP’s work if they had detailed information on what the legal work would entail, because consumers felt better informed about the work the LSP would be doing on the legal matter.

- 5.24 In a few cases, this was linked to firm size – being well-staffed and well-resourced – as it was felt that the LSP would be equipped to deal with the legal matter. This related to large firms but it was also important to consumers that small or mid-sized organisations had the capacity and skills to deal with the legal matter.

Brand and reputation

- 5.23 Having a well-known and reputable service provider was identified as an indication of quality. Whether this applied at a local or national level varied between consumers. A number of consumers had used locally-known providers (including those who had been recommended a provider). However, a few consumers had used large firms which operated nationally or even internationally. It is worth noting that in the latter case, cost did become more of a factor in consumer considerations.

“You know that, for example, I wouldn’t be going to a big city law firm because that’s going to cost me a fortune, but at the same time, I won’t go to one of those which are back yard ones. Somewhere in between. I would try to pick a medium-sized law firm, probably in London, might have a secondary reputation dealing with employment law, but I know that it is in London so I have access to the people.” Comparer, experienced problems at work, used a trade union.

- 5.25 Consumers most commonly referred to a provider’s website and customer reviews when assessing company brand.

“If I was to buy a new TV I would look at the name of it straightaway – your Sony’s. You know full well they are very good, lasting quality ... [with legal services] look and see what they offer and if there is any feedback from anyone else – see how they got on ... yes, reviews, how someone has handled something.” Non-comparer, experienced problems at work, used a trade union.

“[Generally] I go by reputation and perhaps advertised professional standing. I guess I am led by brand names. One tends to choose a well-known brand of a washing machine ...” Comparer, experienced conveyancing, used a licensed conveyancer.

“Where someone has used the company and they have thought this is a really good company to use. It’s a good indicator, especially if it is someone you know who is giving the recommendation, you are going to trust that opinion.” Comparer, experienced probate, used a solicitor.

“You know, I just took it for granted ... they’ve been handling my insurance, so surely they’d carry on doing a good job with the personal knowledge they had.” Non-comparer, experienced an accident/injury claim, used a solicitor (referred from insurance company).

Recommendations or referrals

- 5.26 As reported earlier (see 3.16) consumers felt that the recommendation of a service provider by family/friends/a third-party organisation in itself indicated that the provider would be of good quality. In this sense, consumers placed an amount of trust in the source of their recommendation, usually family, friends or colleagues.
- 5.27 This is reflected in the fact that, for the most part, consumers who had used a recommendation to identify their LSP used this as the sole quality indicator. In a few cases, consumers had reserved judgement until meeting the LSP, and in one or two cases consumers felt that the recommendation had no impact at all on their quality judgements.
- 5.28 The views of those with referrals differed slightly as these consumers overall tended to have little or no choice of LSP, and so the referral did not influence a quality judgement. For a few consumers who trusted the organisation making the referral, the LSPs listed were taken to be of good quality.

Understanding quality for general services versus for legal services

- 5.29 Overall, there was little difference between what consumers identified as important aspects of quality when thinking about services in general versus how they actually judged quality when choosing an LSP.
- 5.30 One aspect of quality which seemed to be more commonly mentioned/more important to consumers in terms of legal services specifically was the interaction/relationship with the LSP. Feeling well treated, that the LSP was personable and invested in the legal matter as much as the consumer, were all important parts of this.
- 5.31 Some less commonly mentioned aspects of quality generally, but which had influenced consumer’s choice of LSP, included:
- The appearance of members of staff or the aesthetic impression of the LSP’s offices. One consumer had decided against a solicitor because his offices appeared ‘shabby’ – despite the solicitor being recommended.
 - LSP location – the offices being located in a convenient location, or the

look and feel of the area in which the office was located, was taken to give some indication of the quality of the LSP in a few cases.

- One consumer specifically identified being a 'registered' (understood to have meant regulated) LSP as an indicator of quality – almost like a quality guarantee.

Consumer awareness and knowledge of formal quality indicators

5.32 Overall, consumers had little awareness and knowledge of formal quality indicators such as quality mark schemes. This is reflected in the fact that no such indicators were referenced by consumers when Quality mark schemes

5.33 Consumers were unfamiliar with the concept of a quality mark scheme for legal services.

5.34 Generally, there seemed to be a lack of understanding of formal indicators of quality for legal services among consumers – linked to poor knowledge and unfamiliarity with the sector. For example, one consumer had taken the use of the word 'quality' by the LSP – in their name and marketing material – as an official quality indicator or mark.

Customer reviews

5.35 Most consumers said they regularly drew on customer reviews of products and services when assessing quality on a general basis – such as using TripAdvisor for holiday/travel providers or Which? for domestic appliances.

5.36 As highlighted earlier, customer reviews or testimonials – most commonly on websites or marketing material – were used by some consumers as an indicator of quality.

5.37 Most, however, had not used customer reviews when assessing the likely quality

of their LSP. When prompted, consumers said they did think that reviews would have been useful, and would have used them for their LSP. The main reason for not doing so was uncertainty of where to find customer reviews for legal services, other than on LSP websites – which was felt to be more promotional in nature than a genuinely helpful assessment or testimony of customer experience.

5.38 Consumers did acknowledge that such reviews need to be interpreted with care, because they can be used selectively.

"I will look up reviews about things like hoovers, washing machines etc. Which? are very useful but some others I am more dubious how much you can trust. [I've] never looked for reviews on legal providers." Comparer, experienced probate, used a solicitor.

"Extremely [useful] ... you want to get some background – look before you leap ... holidays, insurance, products ... I think some [of the reviews] you need to take with a pinch of salt but within reason I believe them ... you go on what you have read." Non-comparer, experienced an accident/injury claim, used an insurance company.

5.39 Generally, a lack of a single information source on LSPs across different indicators of quality (experience, cost, customer reviews etc.) was identified as a barrier to consumers' own ability to assess LSP quality.

5.40 A few consumers identified a possible role here for the Law Society, as an independent body, to provide a central depository of performance ratings of LSPs to assist consumers in their decision-making and LSP selection. (Though it is also worth re-iterating here that the majority had a limited or no understanding of the Law Society's actual role and

therefore this view is based on consumer perceptions of what the Law Society might do).

"It would be quite good whether that is the Law Society or other regulators – to have some reference to performance statistics ... you need a depth and width of information to get an impression whether they are good, bad or suitable really ... I can't see that happening because a law firm will never put out all that information unless they are being ordered to." Comparer, experienced problems at work, used a solicitor.

"No, I don't think you were [able to judge quality in advance], no. All that you could get was a gut instinct, "Well, they seem to have done this sort of thing before. They have obviously got experience of doing it and are dealing with it day-to-day with other clients." That's all, but I don't think ... it's not a case that you could sort of, as you might in selecting a new hatchback car, look, you know, is its collision damage likely to be a five star rating or a four star rating? I'm unaware of anything like that." Non-comparer, experienced problems at work, used a solicitor.

Judging quality

5.41 Most consumers who had participated in the qualitative follow-ups felt that it was difficult to make quality judgements when choosing an LSP – unless some form of interaction had already occurred to provide a basis for the quality judgement. Even then, this was not considered sufficient – consumers felt that unless they had experienced the work of the LSP they were generally unable to make a quality judgement.

"I had no other way of telling [the quality] than that [the initial consultation] really ... I don't think I could have done [judged the quality]. I'm not sure ... I mean their website is quite good really ... but I would have still relied on the initial consultation to make the final decision." Comparer, experienced probate, used a solicitor.

When asked if able to judge quality when choosing an LSP:

"No, because this is the first time I've ever used them." Non-comparer, experienced an accident/injury claim, used a solicitor.

5.42 Linked to this, the qualitative research suggested that, for most consumers, quality considerations were not an influential factor when choosing an LSP to use. The exception was where consumers had received a recommendation (which was thought to indicate quality) and chosen their LSP on this basis.

5.43 Consumers in the qualitative follow-ups who had previous experience of using a legal provider felt better-equipped to judge the likely quality of their LSP and this did influence their decision of which LSP to use.

"[Parents] had [compared] before and [also] from what I knew, it was good enough for what I wanted ... Yes, had a good idea from previous experience, that it would be quality." Non-comparer, experienced will-writing, used a solicitor.

"I think, because everything else he'd done, with regards to the house, built up a trust with him, you know, so if we felt that XX said somebody was good, and would come and do a good job ... then [we] felt that he was telling the truth, simply because it was based on previous experience with him ... We knew him, we'd used him before and we've been happy with the service before." Non-comparer, experienced conveyancing, used a solicitor.

5.44 The quantitative interviews also explored consumer views on quality, though not in the same depth as in the qualitative interviews.

5.45 In contrast to the qualitative findings, as Figure 5.1 shows, nearly three quarters of consumers (72%) in the quantitative survey felt that they were able to adequately judge the likely quality of the legal help they would get before choosing their LSP, based on the information collected. This was no different for comparers than for non-comparers.

5.46 Those whose legal matter was will-writing more frequently said they were able to judge the quality of their LSP (85%) compared to the sample average.

5.47 Those who were satisfied with the quality of their legal service were more likely to say they were able to judge the quality of their LSP (79%) compared to those who were dissatisfied (36%)⁸⁶.

5.48 Male consumers (76%) were significantly more likely than female consumers (69%) to say they had been able to judge the quality of their LSP before they chose them.

5.49 Those who had used an LSP before were significantly more likely (75%) to say they felt able to judge the likely quality of the legal help they would get, compared to

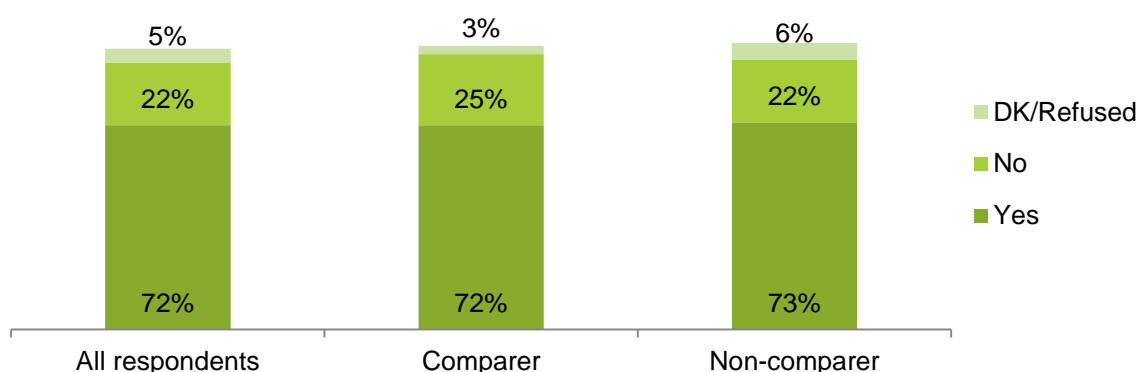
those without previous experience (68%), resonating with the qualitative findings.

5.50 Those whose legal matter was an accident/injury claim were less likely to say they were able to judge the quality of their LSP (60%)⁸⁷ compared to the sample average. This is perhaps a reflection of consumers with this legal matter being more likely to have had their LSP chosen for them, and less likely to have had any previous experience of an LSP, compared with the sample average.

⁸⁶ Indicative finding: small or very small base size.

⁸⁷ Indicative finding: small or very small base size.

Figure 5.1: Consumer views on whether or not they were able to adequately judge the likely quality of the legal help they would receive from their LSP (Q.C6/D7; base = 750: all eligible)



5.51 There is some inconsistency therefore between the quantitative and qualitative findings. The quantitative data suggests consumers felt able to judge the quality of their LSP, whereas most consumers in the qualitative follow-ups (despite what they may have said before) indicated that they had found it difficult to assess the likely quality of legal advice or service before appointing their LSP to do the work, at least formally or objectively. This said, consumers who had received a recommendation or referral often took this in itself to be a quality indicator for the LSP's work and so, from their perspective, did have some evidence on which to pre-judge LSP quality (see 3.16 and 5.26 respectively).

"We didn't have any background information on them other than the visuals online so we had nothing to judge ... [Once met in person] it was possible to compare quality once speaking to LSPs over the phone and meeting in person, however ... We went by the interaction on the phone and then the face-to-face meeting and judged it on that thereafter." Comparer, experienced probate, used a solicitor.

Helping consumers to judge quality

Information used to assess quality

5.52 As would be expected, the qualitative follow-ups found that the information that consumers used to assess the likely quality of their LSP was linked directly to the key factors or indicators of quality consumers had identified, and included:

- Recommendations from family/friends;
- Word of mouth;
- Websites and online customer reviews/testimonials;
- Direct contact with LSPs – by email or telephone – to get a sense of likely quality (particularly in terms of customer service);
- Consumers' own face-to-face interaction with the LSP.

5.53 In light of the above, consumers generally used personal points of reference and information sources to assess the quality of their LSP, though a few consumers also undertook some online research.

"I chose XX on the basis of their brand presence, and their reputation as a top-notch firm which was backed up by word of mouth by users, acquaintances and family members ... I had colleagues at work, acquaintances who had had direct experience of them and two of my sisters-in-law are barristers who have done work on behalf of them. They rated them very highly." Non-comparer, experienced an accident/injury claim, used a solicitor.

5.54 The analysis reported in the preceding sections suggests that while consumers have clear views on what factors to use to judge the quality of their LSP (and in particular, the quality of legal service as opposed to advice), in reality they struggled to do so.

5.55 Partly this is linked to a sense that the likely quality of service is difficult to judge in advance of meeting the LSP, and experiencing the way they work – because so many aspects of quality of service are linked to the consumer's interaction with the LSP and building a rapport.

5.56 However, as with cost information, consumers generally felt uncertain of how and where to find information they could use to determine LSP quality.

5.57 A number of consumers agreed that it would be useful to have access to an online database of providers, with information relating to contact details, areas of specialism, cost ranges for services provided, performance/customer reviews or star ratings, and certification or kitemarks, amongst others. In essence, consumers wanted a 'one-stop shop' or single information source they could use to assess LSPs in terms of cost and quality, to help inform their choice of LSP.

5.58 A few consumers also felt that there is a need for greater publicity and awareness-raising of the information sources that are available on legal services.

"More publicity ... leaflets to help you know where to go for legal help. Usually when you need it, you are already in distress or it is an emergency and you can't think straight ... you only get legal help in times of stress." Comparer, experienced probate, used a solicitor.

6 Consumer experience of using an LSP

- 6.1 This chapter presents findings on consumer experiences of using an LSP in terms of cost and quality. It also explores areas for improvement as identified by consumers and highlights what consumers say they might do differently should they use an LSP in the future. The following aspects of consumer experience are of particular focus:
- The accuracy (or otherwise) of initial fee estimates received by consumers, compared to the actual amount paid for the legal service once concluded – taken from the quantitative interviews;
 - Whether consumers feel that they received value for money for their legal service, based on the final amount paid, and whether or not this was as expected – taken from the quantitative interviews;
 - Consumer experience of quality – focusing on the different ways they evaluated the quality of their legal provider, and how satisfied/dissatisfied they were with these different aspects (quality of legal service in general and in relation to specific aspects of service, and the quality of legal advice received) – taken from the quantitative and qualitative interviews.
 - Consumers' overall experience of using an LSP and anything they might do differently, in hindsight – taken from the qualitative interviews.

Chapter 6: Key findings

Consistent with findings presented throughout this report, generally consumers were happy with their experience in regards to cost:

- For the vast majority (89%) of those whose legal matter had concluded and

who had received cost information and made a final payment (46% of all consumers), their final bill was calculated on the same basis as their cost information (mostly as a fixed fee).

- Seven in ten (71%) of those whose legal matter had concluded said that their final payment was aligned with what they had expected to pay. Close to a further one in ten (12%) had paid less than expected.
- However, a small number (13%, n=45) had ended up paying more than expected. Though these findings should be treated as indicative only, nearly half paid up to £499 more than they had expected, and most of the rest paid between £1,000 and £4,999 more than expected.
- In total, 80% of consumers whose legal matter had concluded felt that they had received very (50%) or fairly (31%) good value for money from their LSP. Only 7% described their LSP's value for money as poor⁸⁸.

In terms of quality, 87% of those whose case had concluded (68% of all consumers) were satisfied with the quality of legal advice they had received. Likewise, the majority of consumers were satisfied⁸⁹ with the quality of legal service (83%) provided by their LSP.

This applied across a number of specific aspects of service, such as:

- Clarity of information on the initial cost estimate or quotation (77% satisfied);
- The LSP's efficiency in responding to issues (77% satisfied);
- Level of explanation provided on case progress and developments (75% satisfied).
- Non-comparers were more likely to be

⁸⁸ Fairly + very poor combined.

⁸⁹ Very + fairly satisfied combined.

satisfied across a number of quality measures than comparers.

- Overall, consumers who participated in the qualitative follow-ups were satisfied with their experience of using an LSP. In hindsight, most said they would do more research into LSPs when choosing their provider.

Experience of cost

Final amount paid versus cost information

- 6.2 About half of all consumers in the quantitative survey (46%, n=344) had received cost information before committing to use their LSP and had also concluded their legal matter.
- 6.3 Nine in ten (89%) of these said their final bill had been calculated on the same basis as the cost information had been supplied (see Figure 6.1).
- 6.4 This was linked to consumer satisfaction with the quality of the legal service they had received – those satisfied were significantly more likely to say the final amount paid was on the same basis as the cost information supplied (91%) than the sample average.
- 6.5 The majority (78%) of those whose final bill was calculated on the same basis as their cost information, had their costs calculated on a fixed fee basis.
- 6.6 Amongst those whose final amount was not calculated on the same basis as their cost information (n=15), 7 had their costs calculated on a per hour basis, 5 as a fixed fee and 2 on a 'no win, no fee' basis.

Differences by sub-group

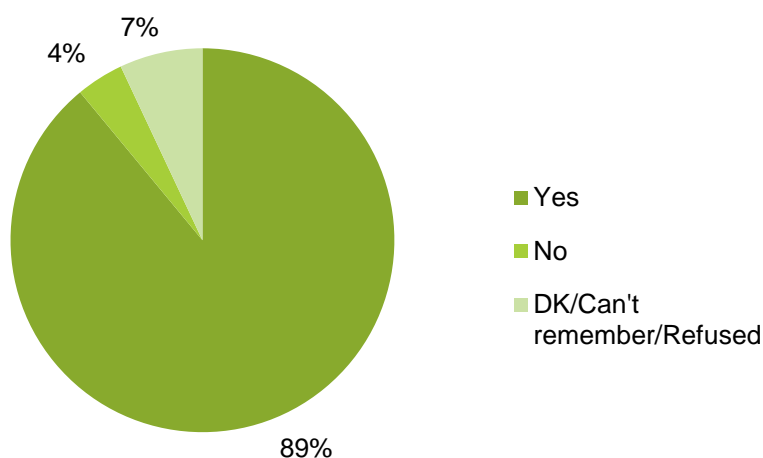
- Those whose legal matter was conveyancing were significantly more likely to say the final amount paid was on the same basis as the cost information (95%) compared to the sample average.
- Those whose legal matter was problems at work were less likely to say their final amount paid was on the same basis as the cost information they had received (64%)⁹⁰ compared to the sample average.
- Those whose LSP type was unregulated were less likely to say their final amount paid was on the same basis as the cost information had been provided (62%)⁹¹ compared to the sample average.
- Those who had an accident/injury claim were less likely to say their final amount paid was on the same basis as the cost information supplied (56%)⁹² compared to the sample average.

⁹⁰ Indicative finding: small or very small base size.

⁹¹ Indicative finding: small or very small base size.

⁹² Indicative finding: small or very small base size.

Figure 6.1: Consumer views on whether or not the final bill was calculated on the same basis as the initial cost information they received (Q.E6; base = 344 respondents: those whose legal matter had concluded and had received cost information)



Final amount paid versus consumer expectations

- 6.7 For the majority whose legal matter had concluded, the final payment amount paid was in line with what they had expected. Seven in ten (71%) said that they had paid about the same as expected, with small proportions paying slightly less (12%) or slightly more (13%) (see Figure 6.2).
- 6.8 Consistent with the finding that consumers who experienced conveyancing were more likely to have their final amount calculated on the basis of their cost information, they were also significantly more likely to say they paid the same as expected (82%) compared to the sample average.
- 6.9 Those whose legal matter was probate were more likely (25%)⁹³ to say they had paid more than expected, compared to the sample average.
- 6.10 Those who experienced family matters were less likely to say they had paid what they expected (47%)⁹⁴ compared to the sample average. At the same time, they

were also more likely to say they had paid less than they originally expected (30%)⁹⁵.

- 6.11 Those whose final payment was calculated on a per-hour basis were three times more likely than those with a final payment calculated on a fixed-fee basis to say they had paid more than expected⁹⁶.

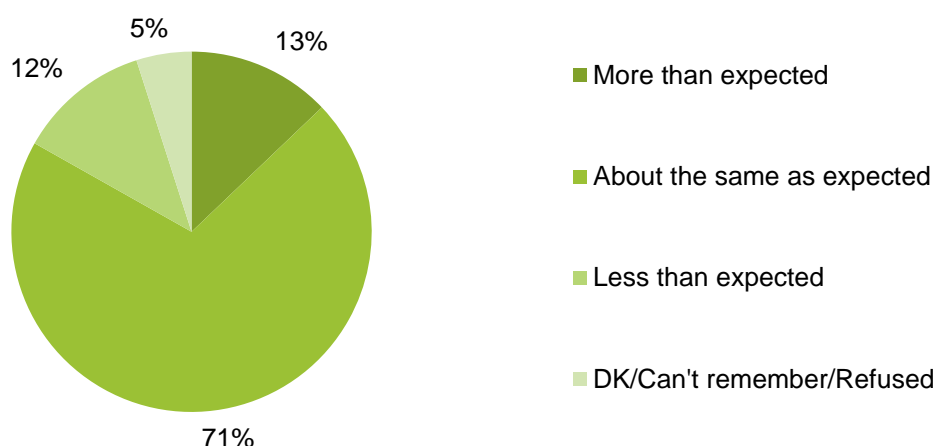
⁹³ Indicative finding: small or very small base size.

⁹⁴ Indicative finding: small or very small base size.

⁹⁵ Indicative finding: small or very small base size.

⁹⁶ Indicative finding: small or very small base size.

Figure 6.2: Consumer views on whether or not the final amount paid was in line with expectations (Q.E7; base = 350: those whose legal matter had concluded and had paid for their legal service)



Consumers who paid more than expected

- 6.12 A small proportion of consumers (13%, n=45) had paid more than expected once their legal matter had concluded.
- 6.13 Of these, around half had paid up to £499 more than they expected, while most of the rest had paid between £1,000 and £4,999 more than expected (see Table 6.2).
- 6.14 Note that the small base size here means the data should be treated as indicative only.

Why did 45 respondents say they paid more than expected?

- The work took longer than originally estimated by the LSP (18);
- The consumer had themselves underestimated the cost of the work (9);
- There had been new information/new developments to the case (6);
- The LSP's initial estimate/quotation had been unrealistic for the amount of work involved for their legal matter (4).

Table 6.2: How much more consumers paid than expected (Q.E8; base = 45: those whose legal matter had concluded and paid more than expected)

	All respondents	Those who compared	Those who did not compare
Paid up to £499 more than expected	20 (44%)	4 (33%)	16 (48%)
Paid £500-£999 more than expected	2 (4%)	0 (0%)	2 (6%)
Paid £1,000-£4,999 more than expected	13 (29%)	5 (42%)	8 (24%)
Paid £5,000+ more than expected	3 (7%)	2 (17%)	1 (3%)

Value for money

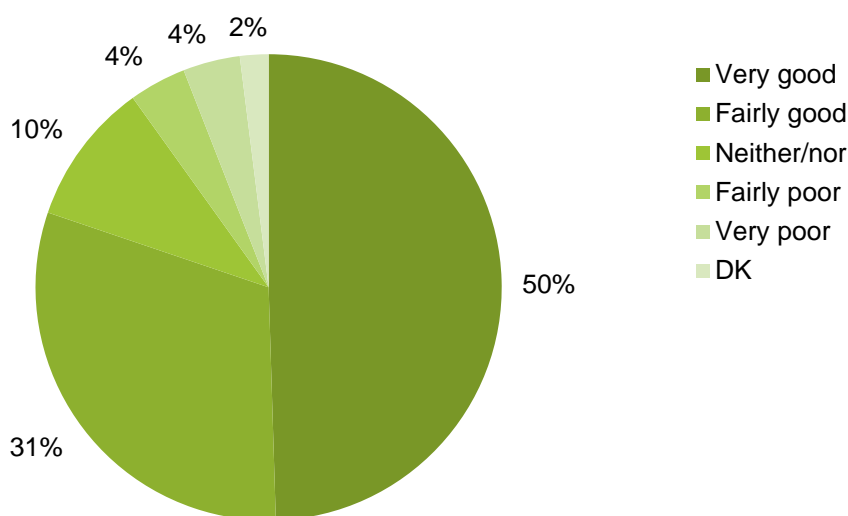
- 6.15 On the whole, consumer experiences of their final payment were broadly in line with what they had anticipated.
- 6.16 The majority (80%) of those whose case had concluded and was not conducted on a pro bono basis (47% of all consumers) also felt that they had received value for money from their LSP for the legal work provided. Half (50%) felt that their LSP's value for money was 'very good' and 31% 'fairly good'. A small proportion (7%) felt that their LSP's value for money was poor⁹⁷ (see Figure 6.3).
- 6.17 Those whose legal matter was will-writing were more likely to say the value for money they had received was good (88%)⁹⁸, compared to the sample average.
- 6.18 Those whose legal matter was an accident/injury claim were less likely to say their LSP's value for money was good (61%)⁹⁹, compared to the sample average.

⁹⁷ Fairly + very poor combined.

⁹⁸ Indicative finding: small or very small base size.

⁹⁹ Indicative finding: small or very small base size.

Figure 6.3: Consumer views of the value for money received from their LSP (Q.E10; base = 350: those whose legal matter had concluded and had paid for their legal service)



6.19 When this was probed further in the qualitative interviews, the concept of ‘value for money’ was linked to consumers feeling that their LSP had achieved the desired outcome for their legal matter, as well as being charged a fair or reasonable price for the legal service.

“The matter extended over several months and what they got – the fee, for the work they seemed to put in – doesn’t seem excessive to me so looking back on it I have no problems.” Comparer, experienced conveyancing, used a licensed conveyancer.

6.20 The overall experience of using an LSP was a greater contributing factor to consumer views of value for money than the cost of the legal service. Even where the service had cost more than originally anticipated, consumers felt they had received value for money if they had also had good customer service and felt the LSP had put in a reasonable amount of effort toward resolving the legal matter.

“Yes. I think I could have got it cheaper but it is a one-off thing and done now. I think it was value for money ... the initial interview with the solicitor, she gave the air of knowing what she was doing and seemed very thorough and made some suggestions which were helpful. So yes, for those reasons I was happy enough with the price.” Comparer, experienced will-writing, used a solicitor.

6.21 This is consistent with the qualitative findings reported earlier (see 5.20) – that cost was not always a primary consideration for consumers when choosing their LSP, nor used particularly as a quality indicator.

6.22 In a few cases where consumers did not feel they had received value for money, this was linked either to what they regarded as being excessive costs or very poor legal service.

“They were appalling – their professionalism and the way they dealt with it.” Non-comparer, experienced an accident/injury claim, used an insurance company.

“I didn’t read the information on the fraction of [the deceased’s] estate that they were going to charge us and it was higher than I thought ... I’m sure they’ll justify it without any [hesitation]. If I questioned it, they’ll say, ‘Well, it’s all written down there, you agreed to it.’ I know they said that but my feeling about it, which is what you’re asking about really, [is] ‘no, you diddle me’. I certainly [didn’t] get value for money. The cost they charged me is exorbitant really.” Non-comparer, experienced probate, used an accountant.

Experience of quality

6.23 The quantitative survey also explored consumer experience in terms of quality and satisfaction/dissatisfaction with:

- The quality of legal service received in general;
- The quality of specific aspects of the legal service received;
- The quality of legal advice received.

Consumer views on the quality of legal service

6.24 The majority of consumers overall (83%) were satisfied¹⁰⁰ and only 10% dissatisfied¹⁰¹ with the quality of the legal service they had received (see Figure 6.4)¹⁰².

6.25 It is worth noting that those who did not compare were more likely to say they were satisfied with the quality of their legal

service than those who did compare (85% and 75% respectively).

Differences by sub-group

- Those whose legal matter was conveyancing were significantly more likely to be satisfied (88%) compared to the sample average, consistent with other findings for this sub-group.
- Those whose legal matter was housing/landlord/tenant problems (71%)¹⁰³, an accident/injury claim (69%)¹⁰⁴ or neighbour disputes (60%)¹⁰⁵ were less likely to say they were satisfied compared to the sample average.
- Those with previous experience of using an LSP (85%) were significantly more likely to say they were satisfied with the quality of their legal service than those without previous experience (79%).
- Those whose LSP was unregulated were less likely to say they were satisfied (74%)¹⁰⁶ compared to the sample average.

¹⁰⁰ Very + fairly satisfied combined.

¹⁰¹ Fairly + very dissatisfied combined.

¹⁰² One consumer who responded ‘Don’t know’ at B3 was removed from the all eligible base for F3.

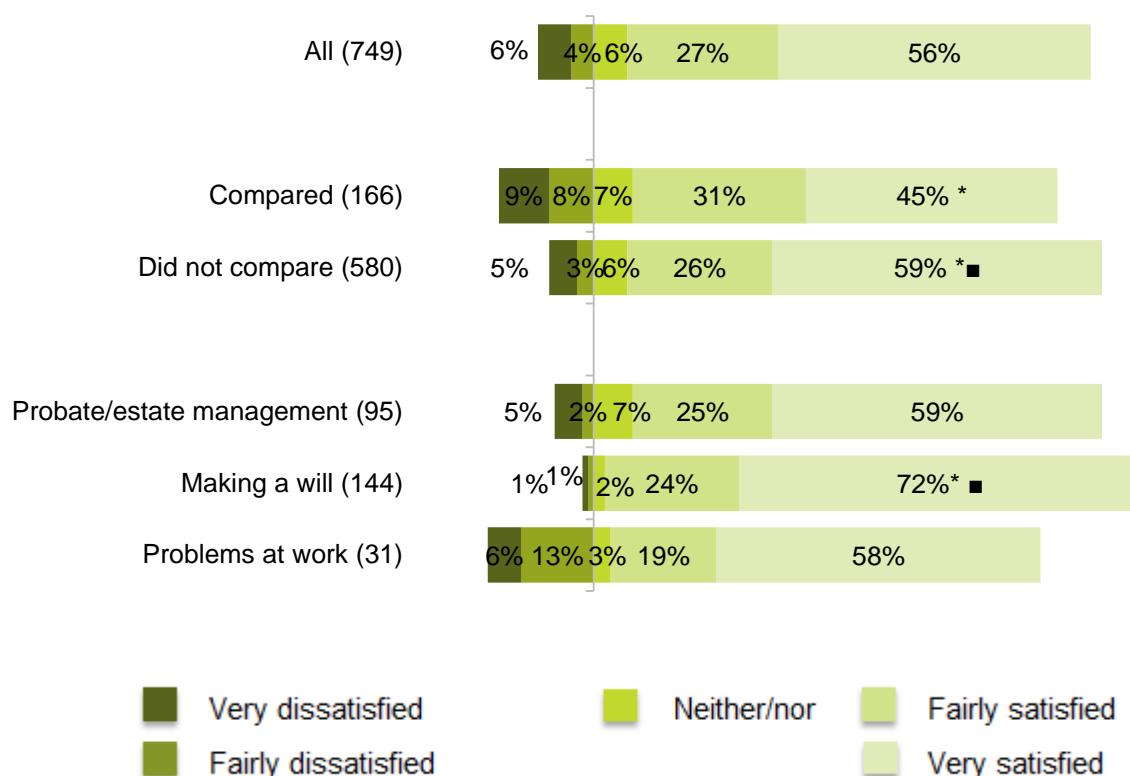
¹⁰³ Indicative finding: small or very small base size.

¹⁰⁴ Indicative finding: small or very small base size.

¹⁰⁵ Indicative finding: small or very small base size.

¹⁰⁶ Indicative finding: small or very small base size.

Figure 6.4: Consumer satisfaction/dissatisfaction with the quality of legal service received (Q.F1/F3; base = 749: all eligible)



Consumer views on specific aspects of the quality of legal service received

6.26 Consumers were asked for their views across five particular aspects of legal service to provide a more detailed insight into consumer views on quality measures.

6.27 As shown in Figure 6.5, the majority of consumers were satisfied across all five aspects of legal service explored in the quantitative survey:

- How efficiently the LSP responded to any issues: 77% satisfied (56% very satisfied, 20% fairly satisfied);
- The clarity of information on the initial cost estimate or quotation: 77% satisfied (50% very satisfied, 26% fairly satisfied);

- The level of explanation given about the progress of the legal matter: 75% satisfied (50% very satisfied, 25% fairly satisfied);
- The clarity of information on any changes to the service to be provided: 66% satisfied (44% very satisfied, 23% fairly satisfied);
- The clarity of information on any changes to the initial cost estimate or quotation: 59% satisfied (39% very satisfied, 20% fairly satisfied).

6.28 Dissatisfaction was most often expressed by consumers in respect of how efficiently the provider responded to any issues (13% dissatisfied¹⁰⁷) and the level of explanation given about the progress of

¹⁰⁷ Fairly + very dissatisfied combined.

and key developments in their case (13% dissatisfied) (see Figure 6.5).

(54%)¹¹¹, benefit/tax problems (47%)¹¹², or neighbour disputes (40%)¹¹³ were less likely to say they were satisfied compared to the sample average.

- 6.29 Consistently, consumers who had experienced conveyancing were significantly more likely to be satisfied than the sample average across a range of measures – the clarity of information on the initial cost estimate or quotation (90%); the clarity of information on any changes to the service to be provided (74%) and the clarity of information on any changes to the initial cost estimate or quotation (70%).
- 6.30 Those whose legal matter was will-writing were significantly more likely to be satisfied with how efficiently their LSP responded to any issues they had (89%); the clarity of information on the initial cost estimate or quotation (88%) and the level of explanation given about the progress of/developments in their legal matter (86%), compared to the sample average.
- 6.31 Those whose legal provider was regulated were more likely to be satisfied (79%) with the response efficiency of their LSP, compared to those whose provider was unregulated (65%)¹⁰⁸; and with the level of explanation given about progress/key developments in their case – nearly eight in ten (77%) were satisfied compared to less than six in ten of those whose provider was unregulated (58%)¹⁰⁹.
- 6.32 Using a solicitor was also linked to more frequent expressions of satisfaction compared with the sample average, in terms of satisfaction with the clarity of information on the initial cost estimate or quotation (81% satisfied); and clarity of information on any changes to the initial cost estimate or quotation (63% satisfied).
- 6.33 Those whose legal matter was problems at work (61%)¹¹⁰, accident/injury claims

¹⁰⁸ Indicative finding: small or very small base size.

¹⁰⁹ Indicative finding: small or very small base size.

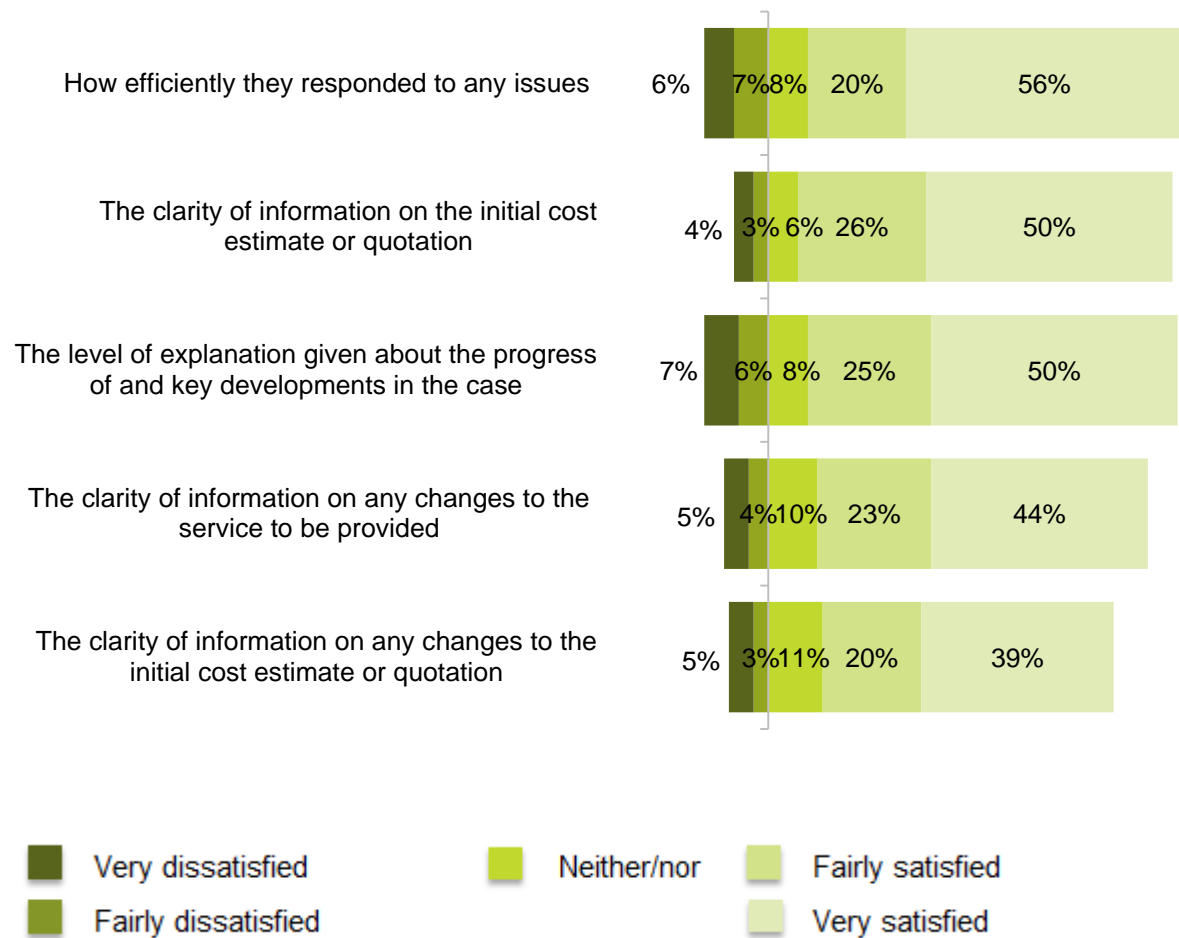
¹¹⁰ Indicative finding: small or very small base size.

¹¹¹ Indicative finding: small or very small base size.

¹¹² Indicative finding: small or very small base size.

¹¹³ Indicative finding: small or very small base size.

Figure 6.5: Consumer satisfaction/dissatisfaction with specific aspects of legal service received (Q.F2/F4; base = 749: all eligible)¹¹⁴



¹¹⁴ One consumer who responded 'Don't know' at B3 was removed from the all eligible base for F4.

6.34 Again, there were statistically significant differences between those who compared and those that did not (see Table 6.3). Non-comparers overall tended to be more satisfied than consumers who compared, on each of the following measures:

- Efficiency of response to issues;
- The clarity of information on any changes to the service to be provided;
- The level of explanation given about the progress and key developments.

Table 6.3: Differences in satisfaction levels across specific measures of legal service, non-comparer and comparer sub-groups (Q.F2/F4; base = 749: all eligible)¹¹⁵

	All respondents <i>Base = 749</i>	% that did not compare and were satisfied <i>Base = 579</i>	% that compared and were satisfied <i>Base = 166</i>
How efficiently they respond to any issues you have	77% (575)	79% (458) * ■	69% (114) *
The clarity of information on the initial cost estimate or quotation	77% (574)	76% (439)	81% (134)
The level of explanation given about the progress of and key developments in the case	75% (562)	77% (446) * ■	67% (112) *
The clarity of information on any changes to the service to be provided to you	66% (496)	68% (396) * ■	58% (97) *
The clarity of information on any changes to the initial cost estimate or quotation	59% (442)	60% (350)	54% (90)

¹¹⁵ One consumer who responded 'Don't know' at B3 was removed from the all eligible base for F4.

Consumer satisfaction with the quality of their legal advice

- 6.35 Consumers in the quantitative survey whose legal matter had concluded (that is, the LSP was no longer working on it) were asked about their satisfaction with the quality of legal advice they had received (507 consumers).
- 6.36 Of these, most were satisfied (87%) with the quality of legal advice that they had received, with two thirds (67%) very satisfied.
- 6.37 Supporting findings reported earlier in this chapter on satisfaction with quality of service (see 6.29 onwards), satisfaction with the quality of legal advice was:
- More frequently expressed by those whose concluded legal matter was will-writing (97%) or conveyancing (92%);
 - Less frequently expressed by those whose concluded legal matter was an accident/injury claim (67%)¹¹⁶ or who had used an insurance company (67%)¹¹⁷;
 - More frequently expressed by those whose legal provider was regulated (89%) compared to those whose provider was unregulated (75%)¹¹⁸.

Consumer experiences overall

- 6.38 Consumers in the quantitative survey whose legal matter had concluded were also asked whether or not they were satisfied with the outcome of their legal matter. The vast majority (88%) said that they were satisfied with one in ten (10%) saying they were dissatisfied with their legal outcome.

- 6.39 Consumers whose legal matter was conveyancing (97%), will-writing (96%) or had used a solicitor (90%) were more likely to have been satisfied with their legal outcome than the sample average. However, consumers who had experienced family matters (79%)¹¹⁹, an accident/injury claim (72%)¹²⁰, problems at work (72%)¹²¹, or benefit problems (69%)¹²² were all less likely to say they were satisfied than the sample average.

- 6.40 The qualitative interviews also sought to explore consumer views of their experience overall in further detail.

- 6.41 The qualitative findings generally support the quantitative data – overall, consumers felt that they had a fairly positive experience of using an LSP. This was most commonly linked to:

- The legal experience overall being easy, straightforward and simple – sometimes more so than had been anticipated;
- The cost of the legal service being as expected or considered ‘reasonable’ – or, in a few cases, free;
- The LSP being efficient and professional – consumers felt that they had done/were doing a good job. Regular communication was also a part of this;
- A feeling that the LSP had gone the extra mile for them – one consumer, for example, appreciated that the LSP had been flexible around their working hours in terms of meetings;

¹¹⁶ Indicative finding: small or very small base size.

¹¹⁷ Indicative finding: small or very small base size.

¹¹⁸ Indicative finding: small or very small base size.

¹¹⁹ Indicative finding: small or very small base size.

¹²⁰ Indicative finding: small or very small base size.

¹²¹ Indicative finding: small or very small base size.

¹²² Indicative finding: small or very small base size.

"You make contact, so you're responded to in a friendly way, you know, it was good, it was, like, "Yes, we can book you in this time," they always make themselves fairly available for, sort of, later on, when it's a bit more convenient for maybe a nine to five. That was good." Comparer, experienced will-writing, used a solicitor.

- The outcome of the legal matter meeting consumers' expectations;
- The LSP being personable and 'friendly'.

"They explained the process to begin with which I thought was useful; sent me a flowchart of the normal operations and we more or less followed that and they were more than happy to discuss my concerns when I was concerned about the delay ... emails and phoned up" Comparer, experienced conveyancing, used a licensed conveyancer.

6.42 One consumer whose friend had recommended that they should contact the Law Society for help with finding an LSP described using the organisation as one of the most positive aspects of their experience. This individual felt that awareness-raising about the Law Society and its role would be helpful to consumers generally¹²³.

"They need to advertise the Law Society as a source of help. They can guide you in the right direction and have a better overview to advise you and or refer you to a specific firm that might help. I would go straight to the Law Society next time." Comparer, experienced problems at work, used a solicitor.

6.43 However, a few consumers felt that their experience overall was negative. Reasons given included the legal matter taking longer to resolve than expected; a lack of communication between the consumer and the LSP on the developments in their case; the cost of the legal service being more than expected or difficult to work out; or the final outcome was not what the consumer had wanted/expected.

"Quite poor to be honest ... they have not given me full transparency: what has been done with my case; who's representing my case; how is my case going to work and they have just not listened or shared information within their own department." Non-comparer, experienced an accident/injury claim, used a solicitor.

"When you buy a car that is the price of the car ... a flat fee where you know what you are paying and getting [unlike with legal services]." Comparer, experienced problems at work, used a solicitor.

"It is quite difficult. There is nothing really there to help you navigate through it all ... There is no methodology for comparing. Also, if you're doing something like shopping for instance, you do it all the time so you know which shops are good, but with legal advice it may be a once in a lifetime issue so you don't build up any knowledge of where and what to look for." Comparer, experienced problems at work, used a solicitor.

6.44 A few consumers had mixed views on their overall experience. As well as some of the positive and negative factors already identified, other issues which stood out for these consumers was the time it took to search for and find a provider that was (in the consumer's mind) suitably experienced for the

¹²³ Please note that the evidence reported here reflects the respondent's recollection of their experience, and their perception of the outcome from contact with the Law Society. It does not necessarily reflect the Law Society's true role/remit.

specialist legal matter; and a lack of/poor communication from the LSP.

“The end result is good – I’m happy with what I have got ... negative was lack of communication ... room for improvement with customer service.” Comparer, experienced will-writing, used a solicitor.

“I like the idea of the unbundling thing. I had never heard of that before ... people don’t know that is an option.” Non-comparer, experienced conveyancing, used a solicitor.

- 6.49 One consumer had actually used unbundling, at the advice of their LSP.

What consumers would do differently

- 6.45 As part of evaluating their overall experience, consumers who participated in the qualitative follow-ups were asked what they might do differently, with the benefit of hindsight.

“At the time, you know, I wanted to find out, again, if she could help me and we had a very constructive discussion and she told me how she could help me. In fact, she actually dictated some points for me to write a letter. She thought it would be cheaper if I write a letter and these were the points that I needed to cover. So, it was extremely helpful and she was really, you know, not out there just to get the money. She, in fact, was trying to make it as economical for me as possible.” Comparer, experienced problems at work, used a solicitor.

- 6.46 A few consumers identified specific organisations or bodies that they would seek advice/recommendations from in future – these included the Law Society and Citizens Advice. (A few also identified the Legal Ombudsman as potentially having such a role, reflecting a misunderstanding the Legal Ombudsman’s actual remit.)

- 6.50 Some consumers – particularly those who had not compared providers – said that they would have carried out more research on the different providers available, and on the LSP chosen. For example, by going online, much in the same way as they would if booking a holiday. This also included looking at customer reviews on providers’ websites.

- 6.47 These consumers felt they would have contacted such organisations at the time, had they been more aware of them and what they did (particularly in reference to the Law Society). It is worth noting that this emerging observation may be a result of discussing professional/membership bodies and regulators in the qualitative interviews.

“I think the experience has confirmed in my mind that you need an appropriate person for the issues at stake. I think it’s reinforced that in my mind. I think that you might well be able to do a trawl and a comparison over wills, property conveyance, divorces, those sorts of things, yes, it’s the law.” Non-comparer, experienced problems at work, used a solicitor.

- 6.48 When prompted on the topic, a few consumers whose legal matter was conveyancing or probate said they would consider unbundling next time – as it seemed a fairly simple and easy thing to do. Again, it’s worth noting that some of these views may have been linked to the prompted discussion of unbundling in the qualitative interviews.

- 6.51 When prompted in the qualitative interviews, consumers agreed that a facility like a price comparison website would make it easier and quicker for consumers to make comparisons between

LSPs and would encourage them to do so, because information that is difficult to obtain, if not unavailable currently, would be accessible in a centralised location.

“It is not as easy as going onto ‘XX’ like you do for your insurance – it takes a bit of legwork and a bit of time which I think puts people off sometimes and they take the first one because it isn’t easy ... you have to go to each individual person’s website whereas if you went on to, for instance, a ‘XX’, you can get a list of roughly what the prices are going to be so you think I will look at that one and that one and see what I think.” Comparer, experienced problems at work, used a solicitor.

6.53 One consumer who had been recommended a solicitor by a third-party (estate agent) said that next time they would make sure to ask the source of their recommendation for a few different LSPs, and to have made comparisons between these.

“I think, I probably would be checking carefully against a few rather than just doing one ... I think, if someone suggested, ‘I’ve got one here’, or ‘We use a couple, we’ll send you one’, I’d ask them to send me a couple.” Non-comparer, experienced conveyancing, used a solicitor.

6.52 A number of consumers generally felt that there was a need for a central website or information source which they could easily use to identify an LSP to choose, or to compare providers. As far as consumers were aware, such a source was not available. Information which consumers identified would have been useful to know included: knowing about different types of legal service providers for different services, whether providers were regulated or unregulated and some guidance on costs to help judge whether the cost information they had received was reasonable or not. This was a consistent theme throughout the qualitative interviews.

7 Consumer experience of regulation, redress mechanisms and acting on dissatisfaction

- 7.1 Having explored various aspects of consumers' experience of using an LSP and satisfaction/dissatisfaction levels, this chapter explores the experiences of those who were dissatisfied with the quality of legal advice/service received.
- 7.2 It considers what consumers knew about regulation, complaints and redress mechanisms. The chapter then looks at why consumers who were dissatisfied did or did not make a complaint, and at the behaviour of a small number of consumers (13) who in the quantitative interviews said that they were dissatisfied with the quality of the legal service and/or legal advice, and had switched their LSP as a result. Four consumers who fell into this group were interviewed in the follow-up qualitative research strand.
- 7.3 It's worth noting that due to the very small base sizes, many of the quantitative findings reported in this chapter can only be regarded as indicative.

Chapter 7: Key findings

Overall, consumers were confident that their LSP had explained different aspects of regulation and redress mechanisms to them:

- Three quarters (73%) were confident¹²⁴ that their LSP explained whether they were regulated or not. This still leaves around 1 in 8 consumers (13%) who were confident that it had not been explained. Though this provides an ostensibly reassuring sense of consumer perceptions, in reality this proportion is likely to be an over-estimate because those consumers who subsequently took part in the qualitative research had

little/no knowledge of regulated vs. unregulated providers when probed.

- Two thirds (65%) were confident their LSP had explained their right to complain and how to make a complaint.
- However, fewer consumers were confident that their LSP had explained what types of complaints might be covered (52% confident explained, 20% confident not explained¹²⁵) or the potential outcomes of any complaint made (48% confident, 23% confident not).
- Most consumers in the qualitative follow-ups were aware of professional or membership bodies for legal services, such as the Law Society. Similarly, most had some awareness of the Legal Ombudsman. However, consumers had limited knowledge about the roles of such organisations.
- A small proportion of consumers (5%, n=37) made a complaint about their provider to one or more of the LSP itself, a regulator, the Legal Ombudsman or another organisation such as Citizens Advice or Trading Standards. Complaints were most commonly made to the LSP itself (33 people), with 25 complaining only to the LSP.
- Of these 34 consumers, 9 said that their complaint was still ongoing and nothing had happened yet as a result of the complaint. A further 7 said they had not received any response to their complaint.
- Of those who had received an outcome to their complaint (18), 7 had been satisfied¹²⁶ with the outcome, 6

¹²⁵ Fairly + very confident it was not explained combined.

¹²⁶ Very + fairly satisfied combined.

¹²⁴ Very + fairly confident it was explained combined.

dissatisfied¹²⁷ and 5 neither satisfied nor dissatisfied.

- Of the 85 consumers who were dissatisfied with the quality of service and/or quality of advice they had received from their LSP, the majority (64) did not make a complaint – most commonly because they felt it would be too time-consuming (16) and/or would not be resolved to their satisfaction (14).
- In total, 15% (13) of those who were dissatisfied¹²⁸ with the quality of the legal service and/or advice they had received had switched their LSP.

Consumer awareness of regulation and redress mechanisms

7.4 Consumers in the quantitative sample were asked how confident they were that their LSP had explained different aspects of regulation and redress mechanisms to them.

7.5 As Figure 7.1 shows, around three quarters (73%) of consumers were confident that their LSP had explained whether or not they were regulated (responses to this question are explored in further detail later in this chapter, along with a consideration of consumers views from the qualitative follow-ups – see 7.14 onwards). Almost two thirds (65%) of consumers were confident that their right to complain and how to make a complaint, had been explained to them by their LSP.

7.6 However, fewer were confident that the types of complaints covered (52%) and the potential outcomes of complaining (48%) had been outlined to them.

7.7 There were some thematic trends which emerged from the quantitative data, in terms of consumer confidence of whether or not their LSP had explained the

different regulation and redress mechanisms.

7.8 Those whose LSP was regulated (74%) were significantly more likely to be confident that their LSP had explained whether or not they were regulated, than consumers who had used an unregulated LSP (62%)¹²⁹. They were also significantly more likely than those using an unregulated LSP to be confident that their LSP had explained their right to complain and how complaints can be made (66% and 54% respectively).

7.9 Consumers who had used 3 or more types of information when choosing their LSP were significantly more likely to be confident their LSP had explained all four aspects of regulation and redress mechanisms to them, compared to consumers who had only used 1 type of information (whether or not the service was regulated – 76% and 66% respectively; right to complain and how complaints can be made – 70% and 56% respectively; what types of complaints were covered – 58% and 44% respectively; and the potential outcomes of complaining – 53% and 38% respectively).

7.10 Satisfaction with quality of service was also associated with consumers feeling confident that their LSP had explained these different aspects of regulation and redress mechanisms. Consumers who were satisfied¹³⁰ with the quality of legal service they had received were more likely to be confident that their provider had explained whether or not the LSP was regulated (77% and 42%¹³¹ respectively), and their right to complain and how complaints can be made (72% and 20% respectively) compared to those who were dissatisfied¹³². They were also more likely

¹²⁷ Fairly + very dissatisfied combined.

¹²⁸ Fairly + very dissatisfied combined.

¹²⁹ Indicative finding: small or very small base size.

¹³⁰ Very + fairly satisfied combined.

¹³¹ Indicative finding: small or very small base size.

¹³² Indicative finding: small or very small base size.

to be confident their LSP had explained what types of complaints were covered (59% and 12%¹³³ respectively), and the potential outcomes of complaining (55% and 9%¹³⁴ respectively).

7.11 Finally, consumer confidence was also found to be related to demographic background in terms of ethnicity and gender in some instances.

7.12 Those from a white ethnic background were more likely to be confident that their LSP had explained whether or not the LSP was regulated (74% compared to 59%¹³⁵ of consumers of BME/other ethnicity), and their right to complain and how complaints can be made, than those of BME/other ethnicity (66% compared to 46%¹³⁶ respectively). They were also more likely to be confident that their LSP had explained the potential outcomes of complaining (49% compared to 33%¹³⁷ of consumers of BME/other ethnicity).

7.13 Men were significantly more likely to be confident that their LSP had explained what types of complaints were covered (56%) compared to women (49%).

¹³³ Indicative finding: small or very small base size.

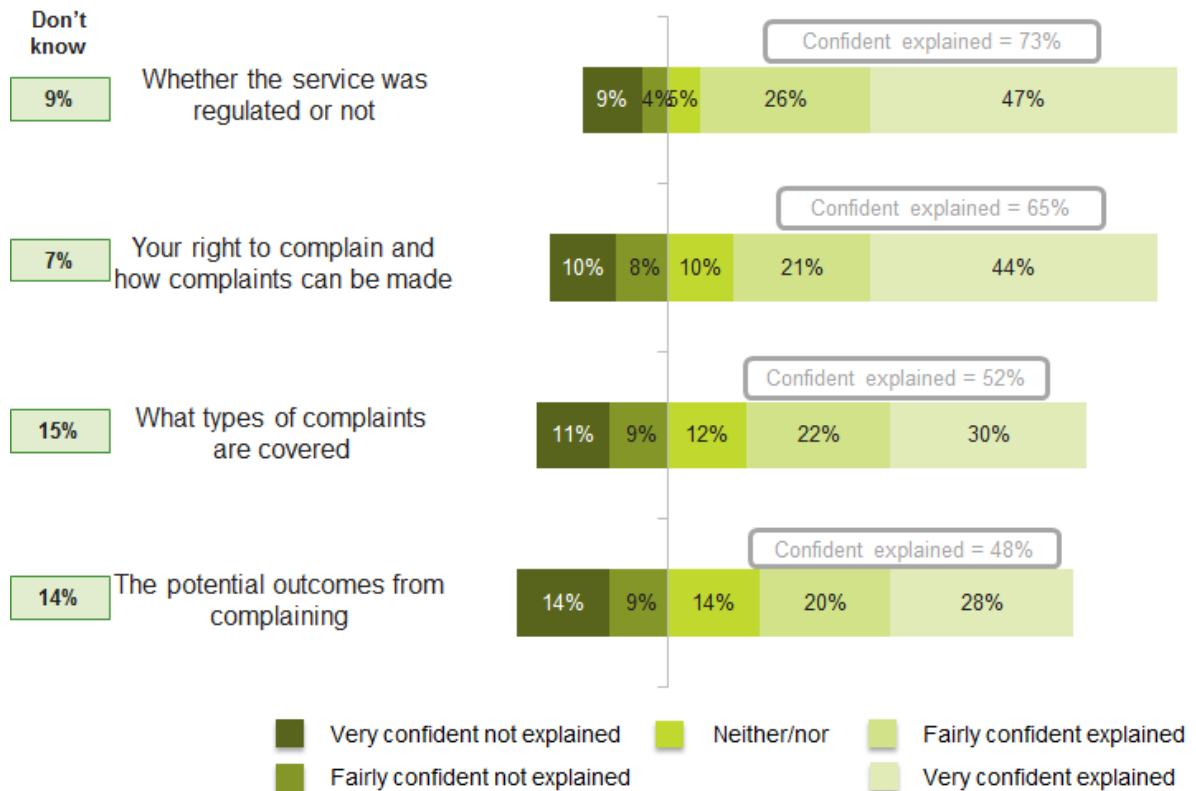
¹³⁴ Indicative finding: small or very small base size.

¹³⁵ Indicative finding: small or very small base size.

¹³⁶ Indicative finding: small or very small base size.

¹³⁷ Indicative finding: small or very small base size.

Figure 7.1: Consumer confidence in whether or not regulation and redress mechanisms were explained by their LSP (Q.G1; base = 750: all eligible)



Awareness of regulation in legal services

- 7.14 Consumer awareness of whether or not their LSP was regulated was explored in both the quantitative and qualitative research strands. In the quantitative interviews, consumers were asked how confident they were that their LSP had explained to them whether or not they were regulated. Their level of knowledge and understanding was then explored further in the qualitative interviews.
- 7.15 As reported earlier (see 7.5), the majority of consumers (73%) in the quantitative survey were confident¹³⁸ that their LSP had explained whether or not they were regulated (47% very confident, 26% fairly confident). In contrast, 13% were confident¹³⁹ that this had not been explained to them (4% fairly confident, 9% very confident) (see Figure 7.2).

Differences in perception amongst sub-groups

- Consumers whose legal matter was visa/immigration matters (43%)¹⁴⁰ or problems with benefits/tax credits (29%)¹⁴¹ were more likely to say they were confident their LSP had not explained whether its work was regulated or not, compared to the sample average (13%).
- Those who were using an 'other' (76%)¹⁴² or regulated¹⁴³ (74%) provider were more likely to be confident their LSP had explained their status, compared to those using an unregulated provider (62%)¹⁴⁴.
- Consumers who were satisfied with the quality of legal service they had received were more likely than dissatisfied consumers to say they were confident their LSP had explained (77% vs. 42%)¹⁴⁵ whether it was regulated or not.

¹³⁸ Very + fairly confident combined.

¹³⁹ Fairly + very confident combined.

¹⁴⁰ Indicative finding: small or very small base size.

¹⁴¹ Indicative finding: small or very small base size.

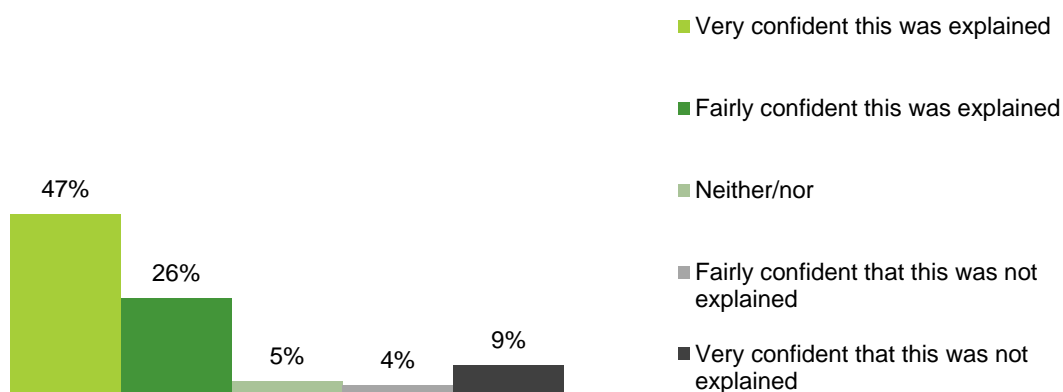
¹⁴² Indicative finding: small or very small base size.

¹⁴³ Note that the sub-groups of those who used a 'regulated', 'unregulated' or 'other' LSP are derived based on responses to B1/B2 – only or main LSP used. 'Regulated' providers = barrister, costs lawyer, legal executive, licensed conveyancer, notary or solicitor. 'Unregulated' providers = advisory service/legal advice centre, council/local authority advice service, legal helpline, charity, or a trade union/professional body. 'Other' = accountant, financial provider/adviser, insurance company, an internet-based company, a McKenzie friend, or will writer.

¹⁴⁴ Indicative finding: small or very small base size.

¹⁴⁵ Indicative finding: small or very small base size.

Figure 7.2: Consumer confidence in whether or not their LSP explained its regulatory status (Q.G1_4; base = 750: all eligible)



7.16 Whilst promising, this finding in itself does not provide a full picture of consumer views on regulated and unregulated providers. The findings from the follow-up qualitative interviews suggest that consumers' awareness and knowledge levels on this matter are actually fairly low.

7.17 Only a minority of those who participated in a follow-up qualitative interview were confident of their LSP's regulatory status, with these consumers reporting that the LSP's website and/or documentation had made this clear.

"It's on the letterhead ... They're all pretty proud of it ... I saw it on the website." Comparer, experienced will-writing, used a solicitor.

"I looked for this as I went along – it was on their websites if they were regulated/affiliated. They also listed their qualifications and experience." Comparer, experienced problems at work, used a solicitor.

7.18 In contrast, the majority of those who took part in a qualitative interview, and contrary to how they had responded during the quantitative survey, said they actually were not confident of their LSP's

regulatory status. Instead, most had simply assumed that their LSP would be regulated (and that, in fact, most or all LSPs are) and so had not thought to query this further before using the LSP. Rather, they said they had assumed the LSP would explain this to them because it was something they felt *should* be explained.

"Well, I mean, if I know there are two types of firms, regulated and unregulated, because I thought all law firms are regulated by the Law Society. If that isn't the case then you, you know, then tell me, because I would never go to use an unregulated law firm, because being unregulated, it just doesn't bode well, because I need someone who has certain professional standards." Comparer, experienced problems at work, used a trade union.

7.19 As well as establishing whether consumers were aware of their LSP's regulatory status, the qualitative follow-ups explored how consumers interpreted the terms 'regulated' and 'unregulated' in the context of the legal services market.

7.20 Most consumers interpreted regulated LSPs to be those that are required to adhere to minimum standards of service

and provide redress mechanisms for consumers if required.

"I would say if they are regulated they have a body they belong to which gives them more than guidelines, regulations to which they have to adhere and if they don't there's probably some way to have some way of redress against them." Non-comparer, experienced probate, used a solicitor.

"If I was looking for another family solicitor, I'd prefer by far for them to be regulated ... Now that you've armed me with the knowledge, if I'm using a solicitor again I'll find out whether they're regulated and who by and what other bodies could they be regulated by. I would do a bit of research about that." Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

7.21 Although participants in the qualitative follow-ups were generally unaware whether the LSP they had used was regulated or unregulated, it was emphasised by all consumers that they had a preference for regulated LSPs.

7.22 Consumers believed that a regulated LSP was likely to offer a higher quality of service than an unregulated LSP because they are required to meet minimum standards (consumer views on quality are explored in more detail in Chapter 5.). Moreover, it was felt that consumers could be confident in a regulated LSP's ability because being regulated implied a minimum standard was being met. In addition, regulated providers were assumed to afford protection to consumers in case any cause for complaint arose.

"I would prefer to go to a regulated provider for legal help. I am not an expert and I would think that if they are regulated they must work to a standard and not be a charlatan. It gives more peace of mind." Comparer, experienced probate, used a solicitor.

7.23 One consumer from the qualitative follow-ups stated that they would actively seek a regulated LSP if they required legal advice in the future.

Consumer views on professional and regulatory bodies

Professional and membership bodies

7.24 Generally, consumer views on professional and membership bodies for legal services were based on assumptions and experience of other sectors.

7.25 A few were aware of the Society of Will Writers but knew little more about the society than its name. One consumer was aware of the Legal 500 website and had used this as part of their research into solicitors.

7.26 Most consumers had heard of the Law Society and felt that it was available as a last resort option if they experienced difficulties with their LSP. This was based more on an assumption of the Law Society's role rather than an informed view – most knew little or nothing concrete about it.

7.27 Some assumed that the Law Society would act in a capacity similar to a regulator or professional organisation which anyone practising law would need to belong to.

“... aware of them [the Law Society] but I don’t know a lot about them. If I had a particular issue, if I had gone to a solicitor and had an issue with the service they provided I would be able to understand how I could take that issue further...I know very little about them.” Non-comparer, experienced conveyancing, used a solicitor.

- 7.28 In a few cases where consumers were familiar with the Law Society, they had come across the body through their work or a family member/friend having used their services.

“I’m aware of those [the Law Society] because when I worked at XXX we went for one of these quality marks for community legal services because of the type of advice we were giving.” Comparer, experienced will-writing, used a solicitor.

- 7.29 As would be expected, the majority of those interviewed in the qualitative strand had not had any dealings with the Law Society. Two consumers had checked the website of the Law Society as part of their background research when looking for an LSP (one to check for local registered firms and one to check whether or not their solicitor was regulated).

The Legal Ombudsman

- 7.30 Around three quarters of consumers in the qualitative follow-ups had heard of the Legal Ombudsman or assumed – based on their knowledge of other sectors – such an organisation would exist for legal services (it is worth noting that in some cases where an Ombudsman for legal services was assumed to exist, this view was expressed in response to a prompt in the interviews asking about awareness of the Legal Ombudsman specifically). Consumers envisaged the Legal Ombudsman to have a ‘watchdog’ role and be available should they have a complaint or require redress. Again, this

view was largely based on an assumption rather than being informed by actual knowledge or experience.

- 7.31 Overall, consumers were better informed about the Legal Ombudsman service than about the Law Society – largely due to their knowledge of ombudsman services in other sectors.

“If you weren’t happy with any of the legal work you were having done, you could go to the [Legal] Ombudsman for an opinion or some sort of guidance or redress.” Comparer, experienced problems at work, used a solicitor.

- 7.32 The same consumer who was aware of the Legal 500 website had made a complaint to the Legal Ombudsman (see 7.38 for more detail on consumers in the qualitative follow-ups who complained).

Making a complaint when dissatisfied Consumers who complained

- 7.33 A small proportion of consumers (5%, n=37) made a complaint about their provider regarding the quality of service, quality of legal advice and/or the LSP’s conduct¹⁴⁶. Most of these (34) had complained to one or more organisations (see Figure 7.3).

- 7.34 As shown in Figure 7.3, the complaint was most commonly made to the LSP itself (33 people). (Due to the small base size, Figure 7.3 sets out the number of consumers rather than percentages). In total, 25 consumers complained only to the LSP, while 31 complained to some

¹⁴⁶ Of these, 21 consumers were dissatisfied with the quality of service and/or the quality of legal advice they had received, and may or may not have had additional reasons for making a complaint (e.g. the LSP’s conduct or another, unspecified reason). The remaining 16 consumers were *not* dissatisfied with the quality of service and/or the quality of legal advice they had received, but had other reasons for making a complaint (e.g. the LSP’s conduct or another, unspecified reason).

combination of the LSP, appropriate regulator and/or the Legal Ombudsman.

Differences by sub-group

- Those whose legal matter was an accident/injury claim were more likely (11%)¹⁴⁷ to have made a complaint, compared to the sample average.
- Those whose legal matter was will-writing were significantly more likely (99%) to have not made a complaint compared to the sample average.
- Non-comparers were significantly more likely (96%) to have not made a complaint compared to the sample average.

Exploring the experiences of the 34 complainants in more detail:

- 7.35 Nine said their complaint was still ongoing and nothing had happened yet, while 7 had not received any response to their complaint. For 4 consumers, the LSP had done some additional work to correct what had gone wrong and the same number had received an apology from their LSP.
- 7.36 Of the 18 consumers who had received some form of outcome from their complaint, similar numbers were satisfied¹⁴⁸ with the outcome (7) as dissatisfied¹⁴⁹ (6), while 5 said they were neither satisfied nor dissatisfied.
- 7.37 Among the 34 consumers who complained to one or more organisations, views on the handling of the complaint were mixed, with a slightly higher number dissatisfied¹⁵⁰ (14) than satisfied¹⁵¹ (12). A further 7 said they were neither satisfied nor dissatisfied.

¹⁴⁷ Indicative finding: small or very small base size.

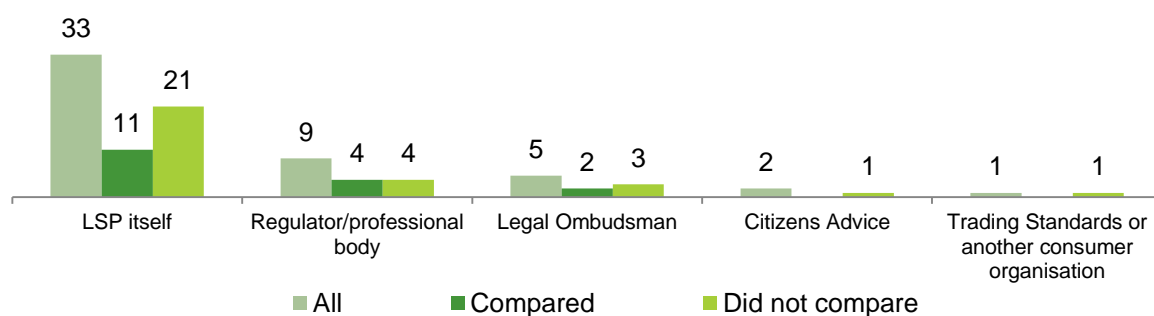
¹⁴⁸ *Very + fairly satisfied* combined.

¹⁴⁹ *Fairly + very dissatisfied* combined.

¹⁵⁰ *Fairly + very dissatisfied* combined.

¹⁵¹ *Very + fairly satisfied* combined.

Figure 7.3: Number of consumers who complained about their LSP and who they complained to (Q.G2; base = 37: all who complained)



7.38 Four participants of the qualitative follow-up interviews had made a complaint due to dissatisfaction with their LSP. Two of these stated that their complaint had yet to result in any outcome.

"I'm a bit disappointed because I can't get hold of them and having made an issue of the fact that you have to do this process and get it back and get it stored quickly – they have made it almost impossible for me to do that because I have these couple of questions I need to ask and I can't ask anyone." Comparer, experienced will-writing, used a will writer.

"None [outcome to the complaint] because I had already left the first one and all the information I had provided to them was electronic copies so there was nothing that had to be returned. Unlike the second where I have met them personally and there are huge piles of documents. I complained to him personally – I said I wasn't happy with the advice but didn't make any formal complaint probably because it was a recommendation from a friend and I didn't want to damage relations. I just did not continue with him." Comparer, experienced problems at work, used a solicitor.

7.39 The third consumer had switched their LSP after complaining (but their complaint had not been resolved).

7.40 The fourth consumer who had received an outcome to their complaint (it had been investigated) was provided with monetary compensation. However, they did not consider the amount they were offered for compensation to be sufficient, relative to the issues that they had experienced (and the size of the claim they were making for compensation).

"It just came up against nothing. They weren't going to take the case on and I think they offered me £130 as compensation and I was claiming thousands at the time ... Even though I've been trying to deal with it independently and outside the courts it's now come to the point where I need to deal with it through small claims and I need assistance with it. One of the other points, and I found this absolutely infuriating, was they seem to have an absolute get-out clause that if any of the legal matters are with your tenant, they wouldn't cover it! For a landlord's policy ... it was fundamental. I wrote in the complaint that I found it unbelievable that was one of the conditions and they actually tried to retract back from that in the full and final letter but they'd already made the statement. To this day, I still haven't got full and clear guidance on that issue." Non-comparer, experienced housing/landlord/tenant problems, used a legal helpline.

the same reasons that were uncovered in the quantitative strand of the research.

"I knew it was being dealt with in some form or another, so I didn't choose the complaints route ... in one instance, where about three months ago I went to court, and they messed the paperwork up. They were supposed to send a fifty page MRI report on my medical condition. They missed the last three pages that was the tipping point for me. I was going to complain at that point, but at which point the other side backed down and admitted liability." Non-comparer, experienced an accident/injury claim, used a solicitor.

Consumers who did not complain

7.41 Most consumers who were dissatisfied with the quality of legal service and/or advice they received did not make a complaint about their LSP (64 from a total of 85).

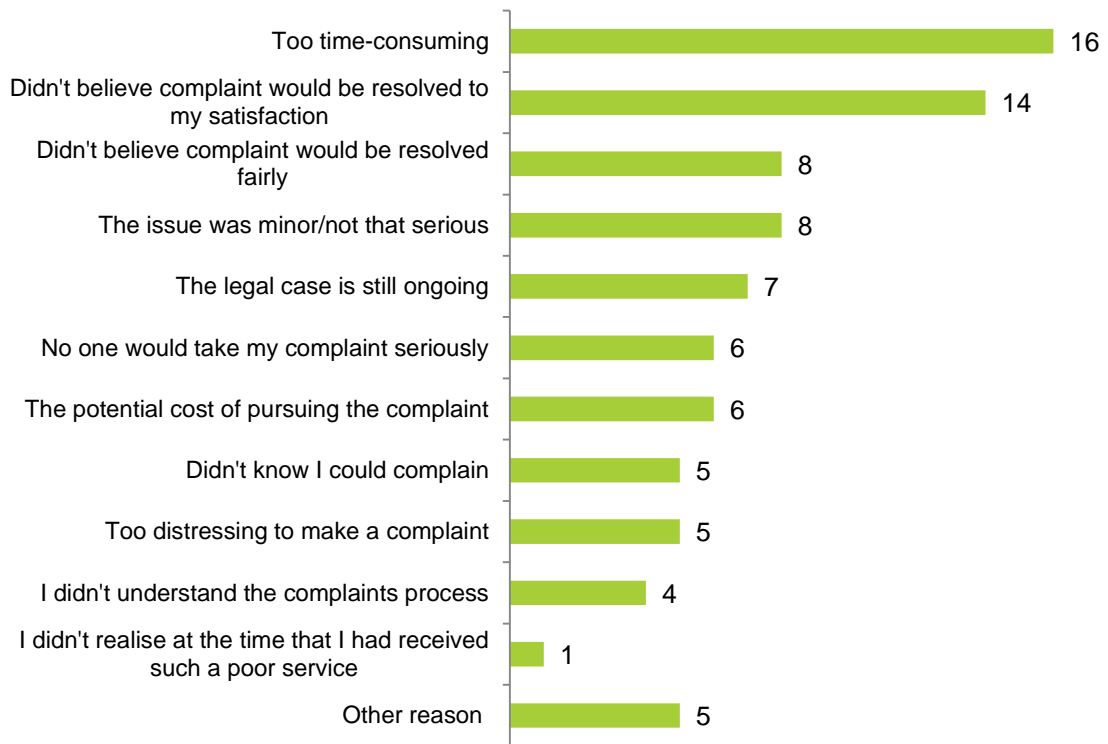
7.42 As shown in Figure 7.4, the most common reasons for not making a complaint were that it was considered too time-consuming to pursue (16 consumers) or consumers did not believe it would be resolved to their satisfaction (14 consumers). Though these small base sizes mean the findings can only be treated as indicative, it does suggest that there are some barriers in consumers' minds about whether or not they should go on to make a complaint.

7.43 Very few consumers who participated in the qualitative follow-ups and were dissatisfied with their LSP made a complaint. These individuals typically chose not to voice their dissatisfaction for

7.44 One consumer was dissatisfied with the length of time it took for the LSP to deal with their legal matter, but chose not to issue a complaint because the legal service was being provided on a pro-bono basis. As the legal advice was not being paid for, the consumer did not think it was worth their time to make a complaint.

"I would have probably gone to the Law Society and I would expect them to direct me to the relevant authority. I was getting the legal services at no cost to myself so it wasn't really worth complaining. I let it run its course. I would have been more proactive about things if I had been paying. But because all my legal advice was being paid for, it was no skin off my nose though the timeline was frustrating." Non-comparer, experienced an accident/injury claim, used a solicitor.

Figure 7.4: Reasons for dissatisfied consumers not making a complaint (Q.G7; base = 64: those who were dissatisfied but did not make a complaint)



Switching providers when dissatisfied

7.45 Very few of those who were dissatisfied with the quality of the legal advice and/or service they had received decided to switch providers – 13 consumers in total. Of these, nine had compared LSPs. The same number were not first-time users of an LSP.

8 Summary of key findings

- 8.1 This report has presented findings on mixed-methods research commissioned by the CMA and carried out by IFF Research, to inform the CMA's understanding of the consumer side of the legal services market, in particular whether consumers can drive competition (market study Theme 1) and whether information failures result in consumer protection issues that are not being adequately addressed through existing regulations and/or redress mechanisms (market study Theme 2).
- 8.2 The focus of the study was on individual consumers aged 18 and older who had experienced a legal matter in the last two years (since 1st January 2014), were residing in England or Wales (where the legal matter had been experienced), and had used a legal service provider to assist them with their legal matter.
- 8.3 The research was comprised of two methodological strands – quantitative telephone interviews each lasting approximately 20 minutes and follow-up qualitative face-to-face or telephone depth interviews lasting 60-90 minutes.
- 8.4 The final quantitative sample size was 750 completed interviews. Potential participants for the qualitative strand were identified and recruited from the achieved quantitative sample.
- 8.6 Around half (54%, n=408) of all consumers in the quantitative sample had used one LSP to help with their legal matter, a quarter (25%, n=189) had used two LSPs and a fifth (20%, n=153) said they had used three or more LSPs at some point during their legal matter.
- 8.7 Solicitors were most commonly used by consumers as their only/main LSP type (69%) across the quantitative sample. Three quarters (76%) had used a solicitor at some point for their legal matter.
- 8.8 As would be expected, the quantitative data found that there were correlations between the type of legal matter consumers experienced and the type of LSP used. For example, those who had experienced problems at work (4% of all consumers in the quantitative sample) were more likely (19%)¹⁵² to use a trade union to help with their legal matter, compared to the sample average (2%).
- 8.9 Consumer experiences varied by the type of legal matter experienced and/or LSP used.
- 8.10 For example, looking at the experiences of consumers in terms of their cost information, those who experienced conveyancing (26% of all consumers in the quantitative sample) were significantly more likely to have received cost information after contacting their LSP (87%) than consumers overall (72% quantitative sample average). They were more likely to have received their cost information as a fixed fee (86% compared to 65% of the sample¹⁵³), and to have

General contextual findings

Quantitative survey

- 8.5 Conveyancing (26%), will-writing (19%) and probate (13%) were the top three most commonly experienced only/main legal matters across the full quantitative sample of 750 consumers.

¹⁵² Indicative finding: small or very small base size.

¹⁵³ The total sample size for this data was 499 consumers (67% of the total quantitative sample of 750) and comprised consumers who had received

received their cost information by providing the LSP with details on 'just the legal matter itself' (49%) compared to the sample average (41%)¹⁵⁴.

- 8.11 Conversely, consumers who had experienced an accident/injury claim seemed to have had a relatively poor experience overall compared with other consumers in the quantitative sample. They were more likely to have had no idea of their cost information in advance of contacting their LSP (61%¹⁵⁵, versus 45% of the total sample) and to have not received any cost information after direct contact with their LSP (37%)¹⁵⁶ compared to the quantitative sample average (23%).
- 8.12 Consumers who experienced an accident/injury claim were also less likely to say that they had received good value for money (61%)¹⁵⁷, compared to the sample¹⁵⁸ average (80%).
- 8.13 The majority of consumers had used an LSP previously (67% of the full quantitative sample). Younger consumers aged between 18 and 50 years were more likely to have used an LSP for the first time (44%) than the over-50s (26%).
- 8.14 The majority of consumers (77% of the full quantitative sample) had not compared LSPs when deciding which LSP to use.

cost information before committing to use a LSP and whose LSP is still working on the legal matter, and those whose LSP had concluded work on the legal matter and had paid for the legal service.

¹⁵⁴ The total sample size for this data was 500 (67% of the total quantitative sample of 750) and comprised both consumers that did and did not compare LSPs, and had received cost information before committing to use an LSP.

¹⁵⁵ Indicative finding: small or very small base size.

¹⁵⁶ Indicative finding: small or very small base size.

¹⁵⁷ Indicative finding: small or very small base size.

¹⁵⁸ The total sample size for this data was 350 (47% of the total quantitative sample) and comprised consumers whose LSP had concluded work on the legal matter and had paid for their legal service.

Accessing and assessing information

General

- 8.15 The most common means of identifying an LSP to use was through a recommendation from family/friends (30%), followed by personal experience of using an LSP before (29%) and recommendations from a professional third-party (17%).
- 8.16 The most common type of information used by consumers to choose an LSP was the provider's location – used by half (49%) of all consumers, but particularly by comparers (61%).
- 8.17 The qualitative data suggests that when trying to choose an LSP to use, consumers generally tended not to 'shop around' or explore a variety of options.
- 8.18 While 18% said they took no time at all to look for an LSP, just under half of consumers (44%) took up to one hour to identify a provider. Non-comparers were significantly more likely than comparers to spend no time (23% vs. 1%) or up to an hour (48% vs. 31%) looking for an LSP.
- 8.19 Findings from the qualitative follow-ups help to shed some light on why this might be the case, particularly for those who had been recommended an LSP by family/friends/a third-party organisation or referred by a professional intermediary. Generally, consumers who fell into these sub-groups in the qualitative sample (9 consumers received recommendations, 5 were referred) felt that the recommendation/referral provided sufficient basis on which to go ahead and use the LSP put forward. Often this was because consumers felt that the LSP would not have been recommended/a referral recipient unless its work was of good quality.
- 8.20 Qualifications/experience (79%) and the LSP's reputation (77%) were most often identified as important factors when

choosing an LSP to use by consumers overall in the quantitative sample.

- 8.21 Comparers in the quantitative sample were significantly more likely than non-comparers to consider cost to be an important factor when choosing an LSP (81% vs. 57%). Non-comparers were significantly more likely than comparers to say LSP brand was an important factor (60% vs. 47%).
- 8.22 A continuing theme which emerged from both the qualitative and quantitative findings was the importance of consumers having some form of interaction, rapport or relationship with the LSP. Whether this resulted from previous experience of using the LSP, a recommendation, or developed through initial contact with the LSP – this was a key influencing factor in consumer decisions about which LSP to use, and how they judged their overall experience.
- 8.23 Another general theme throughout the qualitative interviews was that consumers wanted more information that was easily accessible to them – such as a single online resource – which could be used to identify, evaluate and assess LSPs. There was a feeling that while such resources exist for other service sectors, they do not for legal services.

Cost

- 8.24 Around half (53%) of consumers in the quantitative sample had at least some idea of what the cost of their legal help would be before directly contacting the LSP. This proportion rose to 72% after contact with the LSP. Whilst a positive increase in the proportion of consumers with cost information, this leaves around a quarter (23%) of consumers without information on the cost of their legal service provided by an LSP, after contacting a provider and committing to use that provider.

- 8.25 Consumers who had received cost information from their LSP before signing an agreement of any sort (72% of the total quantitative sample) most commonly received this as a quotation (61%) with around half (49%) only receiving a quotation, followed by an estimate of costs (42%), with 31% only receiving an estimate. Around one in ten (11%) had received cost information as both an estimate and a quotation. A small proportion of respondents received their legal service for free (6%).
- 8.26 Around two thirds of those consumers with an ongoing case who had received cost information or who had made a final payment (67% of all respondents) had their cost information calculated as a fixed fee (65%). Around a fifth (22%) had their cost information calculated on a cost per hour basis, and a small proportion (6%) on a 'no win, no fee' basis.
- 8.27 As discussed earlier in the report (see 4.50) and summarised in 8.26, consumers in the qualitative follow-ups had a preference for precise and transparent cost information.
- 8.28 Consumers felt that LSPs could improve on the transparency of their cost information (particularly in terms of how costs are calculated and broken down for consumers). As part of this, consumers' preferred format of receiving cost information was as a fixed fee.
- 8.29 Nevertheless, consumers were happy with their experience of receiving cost information, and considered this straightforward and easy to understand.
- 8.30 Most (80%) of those consumers in the quantitative sample whose case had concluded and had paid for their LSP's work (47% of all respondents) felt that

they had received good¹⁵⁹ value for money.

8.31 For the majority (89%) of consumers in the quantitative sample who had received cost information and whose legal matter was concluded (344 consumers, 46% of all respondents), the final amount they paid for their LSP's work was calculated on the same basis as the LSP had provided cost information.

8.32 At the same time, most said the final amount they paid was in line with what they had expected to pay (71%).

Understanding and judging quality

8.33 Consumer views on quality were explored in the qualitative follow-ups with 40 consumers recruited from the final quantitative sample. These found that consumers understood quality through a variety of indicators. Customer service and building a rapport with the LSP were particularly important. LSP qualifications/experience, and reputation were also considered important quality indicators.

8.34 A recommendation was in itself taken to be an indicator of the quality of the LSP.

8.35 Feeling that the cost of a service is reasonable or fair – for the amount of work, and the nature of the service provided – was also identified as an indicator of quality by some consumers.

8.36 However, it's worth noting that for most who participated in the qualitative follow-ups, cost was not a quality factor. Consumers were more likely to associate particularly cheap or low-cost legal services with poor quality than they were to associate higher costs with higher quality.

8.37 Consumers tended to assess quality in terms of service rather than legal advice. This was linked to a general lack of knowledge about legal services.

8.38 Consumers had not heard of quality mark schemes for legal services.

8.39 The majority of consumers said that they had used customer reviews as a quality measure when evaluating services in general. A few had used customer reviews for assessing their LSP. Most consumers said that they would like to use customer reviews in future for evaluating legal services but were uncertain of where these could be found – consumers were reluctant to use reviews on LSP websites as these were considered more promotional than informational.

8.40 Subsequently, the findings from the qualitative follow-ups indicate that consumers tended to draw on 'softer' indicators of quality – such as 'gut feel', a sense of trust and their interaction with the LSP – than 'formal' indicators, when choosing an LSP to use.

8.41 Generally, consumers in the qualitative follow-ups felt that a lack of easily accessible information on LSPs or a central resource made it difficult for them to assess the likely quality of their LSP in advance of them working on the legal matter.

Awareness of regulation and redress mechanisms

8.42 Three quarters (73%) of consumers in the quantitative sample felt confident it was explained to them whether their LSP was regulated or not.

8.43 However, when this matter was probed with consumers in the qualitative follow-ups, it became apparent that consumers generally had little or no real knowledge of regulation in the legal services sector, and what this meant for them as consumers of

¹⁵⁹ Very good + fairly good combined.

legal services. Most had simply assumed that their LSP would be regulated – and indeed felt that most or all LSPs are regulated – and had not explored this any further or queried the matter with their LSP.

- 8.44 The qualitative follow-ups also found that consumer views on what it meant to be a regulated provider were largely based on assumptions rather than knowledge. Consumers felt that a regulated provider would need to abide by minimum standards of service and provide redress mechanisms if required. Most consumers therefore expressed a preference for regulated over unregulated providers.
- 8.45 Most consumers in the qualitative follow-ups when prompted said that they were aware of professional or membership bodies for legal services, such as the Law Society.
- 8.46 Around three quarters of consumers in the qualitative follow-ups had heard of the Legal Ombudsman or assumed – based on their knowledge of other sectors – such an organisation would exist for legal services (note that in some cases where an Ombudsman for legal services was assumed to exist, this view was expressed in response to a prompt in the interviews asking about awareness of the Legal Ombudsman specifically).
- 8.47 The majority of consumers in the qualitative sample had limited (if any) knowledge about the roles of these organisations.

Consumer dissatisfaction

- 8.48 For the most part, consumers in the quantitative sample who were dissatisfied about the quality of their legal service and/or advice tended not to complain about their LSP – of 85 dissatisfied consumers, 64 had not complained (75%).

- 8.49 This was most commonly because these consumers felt it would be too time-consuming to pursue the complaint (16) and/or that the complaint would not be resolved to their satisfaction (14) or resolved fairly (8).

- 8.50 In total, 15%¹⁶⁰ (13) of consumers who had been dissatisfied with the quality of their legal service and/or advice had switched their LSP as a result of this dissatisfaction.
- 8.51 A small number of consumers (34) had made a complaint to one or more of the LSP itself, a regulator, the Legal Ombudsman or another organisation such as Citizens Advice or Trading Standards. This was most often to the LSP itself (25 people complained only to their LSP).
- 8.52 Four participants of the qualitative follow-up interviews had made a complaint due to dissatisfaction with their LSP. Two were awaiting an outcome, one had received monetary compensation and the fourth had switched their LSP due to their dissatisfaction (but without a resolution to their complaint).

Differences between comparers and non-comparers

- 8.53 The quantitative survey sample largely comprised consumers who had not compared LSPs (77%, n=580) with 22% (n=166) having compared. These two sub-groups (non-comparers and comparers) were a key focus of the data analysis.
- 8.54 Among those who had not compared LSPs in the quantitative sample, the main reasons identified for not comparing were that a trusted recommendation had been received (36%) and/or that the consumer had previous experience of using the LSP (35%).

¹⁶⁰ Indicative finding: small or very small base size.

- 8.55 One in six of the non-comparer consumers (17%) were happy with the first LSP they looked at, while 16% said they did not have a choice about which LSP to use because they were referred to the LSP by a professional intermediary.
- 8.56 For the most part then, consumers in the quantitative survey did not compare providers because they had used a recommendation or previous experience as the basis for their choice. However, 3% of those who did not compare providers said they did not do so because they thought it would be too difficult to do. Overall, 34 consumers said they did not compare because they thought it would be too difficult and/or time-consuming to do.
- 8.57 Around half of participants in the qualitative follow-ups had compared providers when looking for an LSP to use. These consumers typically compared LSPs by using the websites of LSPs or by speaking to LSPs over the phone.
- 8.58 Some consumers in the qualitative follow-ups who had compared LSPs felt that, although information regarding cost and quality could be accessed, the process of making comparisons was time-consuming.

Identifying an LSP

- 8.59 Most commonly, around a third of consumers had used a recommendation from family/friends (30%), with no difference between comparers and non-comparers sub-groups in doing so.
- 8.60 Overall, the use of the internet as a means for identifying an LSP was surprisingly low across the quantitative sample, with only one in ten (11%) using an internet search engine. However consumers in the comparer sub-group (22% of all consumers) were significantly more likely to have used internet search engines (30% vs. 6% of non-comparers) to find an LSP.

- 8.61 For non-comparers in the quantitative sample (77% of all consumers), their personal experience of using an LSP before (32% vs. 16% of comparers) was a key factor when identifying which LSP to use. Being referred to an LSP by a professional intermediary was also significantly more likely for non-comparers (10%) than comparers (4%). This goes some way to explaining why non-comparers did not compare LSPs – rather than shopping around for an LSP, they tended to rely on their prior experiences or had been referred so did not feel the need to.

Choosing LSPs

- 8.62 Location – in terms of the LSP's proximity to their place of work or residence – was an important factor for consumers overall in the quantitative sample, but less so for non-comparers (46%) than comparers (61%). There were also variations across other types of information used to choose an LSP:
- **For non-comparers**, having previous experience of using the LSP was a key factor in choosing which LSP to use (42% vs. 25% of comparers).
 - **For comparers**, the cost of the legal service (69% vs. 25% of non-comparers) and LSP reputation (57% vs. 32% non-comparers) were key factors influencing their choice of LSP.

Exploring costs

- 8.63 Overall, there were no significant differences between comparer and non-comparer experiences of the way in which they accessed cost information, across measures such as knowledge of the cost of the legal work before and after contacting an LSP, the format of the cost information received and how the cost information was calculated.
- 8.64 Those who had compared LSPs were asked how easy or difficult they had found

it to compare costs between different LSPs. A fifth (20%) of those who had compared said that they had found it difficult¹⁶¹ to compare costs. When this matter was unpicked further in the qualitative follow-ups, this was linked mostly to a lack of standardised cost information or information being presented in different ways, which consumers felt made it difficult to draw comparisons.

Satisfaction with the quality of legal service

- 8.65 Non-comparers were more likely to be satisfied with their quality of legal service across a number of measures explored in the quantitative survey than comparers.
- 8.66 When asked at an overall level whether or not they were satisfied with the equality of their legal service, those who did not compare were more likely to say they were satisfied with the quality of their legal service than those who did compare (85% and 75% respectively).
- 8.67 The quantitative survey also asked consumers about their satisfaction with particular aspects of the quality of the legal service received. Consumers who had not compared LSPs tended to be more satisfied than consumers who compared, across the following measures:
- Efficiency of response to issues (79% non-comparers satisfied vs 69% comparers);
 - The level of explanation given about the progress and key developments (77% non-comparers satisfied vs 67% comparers);
 - The clarity of information on any changes to the service to be provided (68% non-comparers satisfied vs 58% comparers).

Redress mechanisms

- 8.68 In line with the findings reported earlier (see 8.67) that non-comparers were significantly more likely to be satisfied with the quality of their legal service than comparers, non-comparers were also more likely to have not made a complaint about their LSP, compared to the total sample average (96% compared to 95% of consumers overall).
- 8.69 Linked to this, of the 13 consumers in the quantitative sample who switched LSP as a consequence of dissatisfaction¹⁶², they were more likely to be comparers (9) than non-comparers (4).

Overall customer experience

- 8.70 The data from the quantitative interviews suggests that overall consumers in England and Wales were satisfied with their experience of using an LSP to help with their legal matter – 83% of the full quantitative sample were satisfied¹⁶³ with the quality of service received. Of those consumers in the quantitative sample whose legal matter had concluded (68% of all respondents) the majority were satisfied with the quality of legal advice received (87%) and the outcome of their legal matter (88%). Of those whose legal matter had concluded and had paid for their legal service (47% of all respondents), the majority felt they had got good¹⁶⁴ value for money from their LSP
- 8.71 The qualitative findings generally supported the quantitative data - overall consumers felt that they had a fairly positive experience of using an LSP. This was most commonly linked to:

¹⁶² The total sample size for this data was 85 (11% of the total quantitative sample) and comprised consumers who were dissatisfied with the quality of service and/or the quality of advice.

¹⁶³ Very + fairly satisfied combined.

¹⁶⁴ Very + fairly good combined.

¹⁶¹ Very difficult + fairly difficult combined.

- The legal experience overall being easy, straightforward and simple – sometimes more so than had been anticipated;
- The cost of the legal service being as expected or considered ‘reasonable’ – or in a few cases, free;
- The LSP being efficient and professional – consumers felt that they had done/were doing a good job. Regular communication was also a part of this;
- A feeling that the LSP had gone the extra mile for them – one consumer, for example, appreciated that the LSP had been flexible around their working hours in terms of meetings;
- The outcome of the legal matter meeting expectations;
- The LSP being personable and ‘friendly’.

8.72 Consumers in the qualitative follow-ups who had reported negative experiences of using an LSP tended to associate this with the legal matter taking longer to resolve than expected; a lack of communication between the LSP and the consumer on developments in their case; the cost of the legal service being more than expected or difficult to work out; or the final outcome not being as expected/desired.

Appendix 1: respondent profiles

Quantitative

Regional breakdown (Q.A3)

England	95% (712)
Wales	5% (38)

Age bands (Q.H1a)

18-30 years	4% (27)
31-50 years	30% (224)
51-70 years	48% (359)
71+ years	17% (124)
Refused	2% (16)

Gender (Q.H1)

Male	45% (341)
Female	52% (389)
Don't know/Refused	3% (20)

Ethnicity (Q.H2)

White	91% (686)
BME/Other	7% (54)
Don't know/Refused	1% (10)

Education level (Q.H6)

Up to Level 2	23% (169)
Level 3	14% (106)
Level 4/5	9% (69)
Level 6/7/8	42% (315)
None/No qualifications	4% (29)
Other	3% (19)
Don't know/Refused	6% (43)

Current employment status (Q.H5)

Employed	54% (403)
Student/Unemployed/Retired	45% (341)
Other	1% (4)
Refused	(2)

Parent status (Q.H4)

Has children	77% (576)
Does not have children	22% (167)
Refused	1% (7)

English as a second language (Q.H3)

English is main language	95% (714)
English is second language	5% (36)

Qualitative

QUOTA CATEGORY – MUTUALLY EXCLUSIVE (NOT INTERLOCKING)	Total
Legal issue = employment	3
Legal issue = employment AND used a barrister	2
Legal issue = employment AND used a trade union	3
Legal issue = employment AND used a recommendation	4
Legal issue = employment AND used a referral	0
Alternative Quota: Conveyancing AND used a referral	2
Legal issue = will-writing	5
Legal issue = will-writing AND used a will writer	2
Legal issue = probate/estate management	6
Legal issue = probate/estate management AND used an accountant	1
Alternative Quota: P/E and used 3rd party recommendation (not family/friend)	1
Legal issue = probate/estate management AND used a licensed conveyancer	0
Alternative Quota: P/E and used 3rd party recommendation (not family/friend)	1
Legal issue = other	10
Total	40
QUOTA CATEGORY – NOT MUTUALLY EXCLUSIVE (CAN BE INTERLOCKING)	Completed
Did compare	20
Did not compare but who identified a provider using a recommendation	9
Did not compare but who identified a provider using a referral	5
Did not compare and did not identify a provider using a recommendation, referral or previous experience	11
Dissatisfied and complained	3
Dissatisfied and did not complain	7
Switched legal service provider	3
Used a legal service provider before	25

Appendix 2: comparer versus non-comparer respondent profiles

Of the 750 consumers surveyed in the quantitative research strand, 580 said that they had not compared LSPs (non-comparers) and 166 had said that they did compare LSPs (comparers).¹⁶⁵

Statistically significant differences between the respondent profiles of both sub-groups are set out here:

- Consumers who had used three or more types of information to identify their LSP were significantly more likely to be comparers than the average (31% vs. 22%).
- Women were significantly more likely to be non-comparers (80%) than men (74%). Conversely, men were significantly more likely to be comparers (26%) than women (19%).
- Younger consumers (those aged between 18 and 50 years) were significantly more likely to be comparers than the over-50s (29% vs. 18%).
- Consumers of BME/Other ethnicity were significantly more likely to be comparers than consumers of white ethnicity (35%¹⁶⁶ vs. 21%).
- Consumers in work were significantly more likely than non-working consumers to be comparers (26% vs. 18%).
- Comparers were significantly more likely to be qualified at Level 4 or higher than those with qualifications up to Level 3 (including A Level) (26% vs. 17%).
- Consumers who had used two or more means of identifying their LSP were significantly more likely to be comparers than the sample average (41% vs. 22%).

¹⁶⁵ Four consumers who responded 'Don't know' or 'Refused' were allocated to the 'non-comparer' group for the purpose of conducting the interviewing. Reporting on the comparer sub-group varies between a base of 580 and 584 depending on the question.

¹⁶⁶ Indicative finding: small base size.

“

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IFF is a research-led organisation which believes in letting the evidence do the talking. We don't undertake projects with a preconception of what “the answer” is, and we don't hide from the truths that research reveals. We are independent, in the research we conduct, of political flavour or dogma. We are open-minded, imaginative and intellectually rigorous.

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