#### **IFF Research**

Market study into the supply of legal services in England and Wales –
Consumer research findings
Competition & Markets Authority (CMA)
3 May 2016

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# Background & objectives

#### Research background and objectives

The Competition and Markets Authority's (CMA's) mission is to make markets work well in the interests of consumers, businesses and the economy.

The CMA is conducting a **market study into legal services**, the purpose of which is to examine whether competition in the legal services sector in England and Wales is working effectively for consumers and small enterprises and – if not found to be working well – how it might be improved.

The CMA commissioned

IFF Research – an independent market research agency – to conduct quantitative and qualitative research with consumers.

The research was undertaken to inform the CMA's understanding of the demand side of the legal services market.

This research sought to identify and explore:

- How consumers decide between legal service providers (LSPs) and which LSP to use;
- Consumer awareness of information on quality and price;
- What consumers use to judge quality;
- How easy or difficult consumers find it to compare LSPs on quality and price;
- The accuracy (or otherwise) of initial fee estimates;
- Whether consumers receive the quality/level of service they expect, and value for money;
- Whether consumers are aware of and using redress mechanisms (and their experiences of using them).



#### Methodology

#### Strand 1 - Quantitative

- Random sample method landline and mobiles.
- End total of 750 telephone interviews lasting approx. 20 minutes each.
- Those aged 18+ at 1<sup>st</sup> Jan 2014, who have experienced a legal matter since Jan 2014 and used a legal service provider. Criminal legal matters outside research scope.
- England and Wales.
- Cognitive testing of questionnaire:
   29<sup>th</sup> Feb & 3<sup>rd</sup> March 2016.
- Pilot: 16<sup>th</sup> & 17<sup>th</sup> March 2016.
- Mainstage fieldwork period:
   21<sup>st</sup> March 1<sup>st</sup> May 2016.

#### Strand 2 - Qualitative

- Recruited from CATI interviews
- End total of 40 interviews 26 face-toface, 14 tele-depths.
- 60 90 mins approx.
- Further questions asked of those who have had particular experiences. For example consumers who had switched LSP; were dissatisfied and didn't complain, three key areas of law (willwriting, probate, employment).
- Fieldwork period: 4<sup>th</sup> April 20<sup>th</sup> May 2016

All data reported here is unweighted.

Percentages may not total 100% due to rounding or the omission of Other/DK/Refused.

- \* Denotes significant difference with the sample average (average for all respondents).
- Denotes significant difference between sub-groups.
- Denotes small or very small base size treat with caution.
- # Denotes indicative sub-group finding due to small or very small base size.





# Context

## Legal matter(s) experienced since 1st Jan 2014

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

<sup>&#</sup>x27;\*%' indicates a percentage of more than zero and in the range 0.01-0.49%. \* This will be referred to as 'will-writing' throughout the presentation.

A7: And of these, which one did you most recently need some legal help or advice with? Base: Those that had two or more legal matters (A5=1-12,14x2) (268)



A5: Since January 2014, which of the following matters, if any, did you need some legal help or advice with? (We mean any help or advice you needed in a <u>personal</u> capacity, rather than something you needed because you have your own business/are a sole trader). Base: All in England & Wales aged 18+ on 1st Jan 2014, with a legal matter (A4=1) and who used a legal service provider (750)

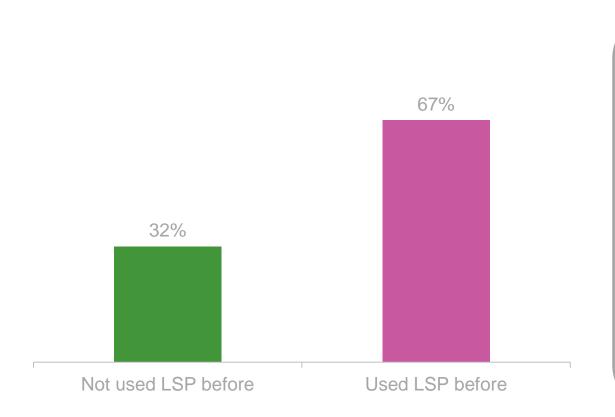
# Types of legal service provider (LSP) used

	All LSPs used (B1)	Only LSP used (B1=single code)	LSP used with most (main) responsibility (B2)	Only or main LSP used
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%)
nsurance 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%)
Frade Union or professional body	38 (5%)	9 (2%)	5 (1%)	14 (2%)
Barrister	46 (6%)	4 (1%)	9 (3%)	13 (2%)
_egal executive	54 (7%)	6 (1%)	7 (2%)	13(2%)
Council/Local Authority Advice Service	50 (7%)	4 (1%)	6 (2%)	10 (1%)
₋egal 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%)
nternet-based company	35 (5%)	2 (*%)	4 (1%)	6 (1%)
Costs lawyer	17 (2%)	3 (1%)	1 (*%)	4 (1%)
Notary	18 (2%)	-	-	-
McKenzie Friend	1 (*%)	1 (*%)	-	1 (*%)
Other	14 (2%)	5 (1%)	3 (1%)	8 (1%)

B1: When someone needs help or advice with a legal matter, they can get it from a range of different legal service providers. Did you use any of the following types of legal service provider? Base: Those that have had a legal matter since January 2014 (A5=1-12,14/A7=1-12,14) and used a legal service provider (750) B2: And of the different types of legal service provider you used for your legal matter, which one had the most responsibility overall? Base: Those that used two or more LSPs (>1 coded at B1= 1-18) (342)



#### Most consumers had used an LSP before ...



- \*# Consumers whose main legal matter was an accident/injury claim were more likely to have used an LSP for the first time (56%) compared to the sample average.
- \* Consumers whose main legal matter was conveyancing were significantly less likely to be first-time users of an LSP compared to the sample average (21% had not used one before, 78% had).

B5: Thinking about the LSP you are using/you used for your legal matter, is/was it the first time you have used a legal service provider? Base: All eligible (750)



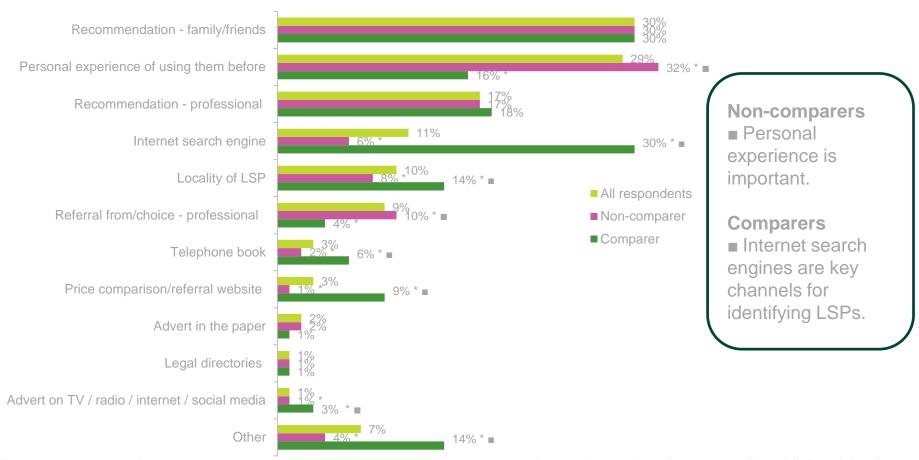


# Accessing information about legal service providers

The information consumers use to make their decisions

# Identifying an LSP to use

Consumers most often said they had used a recommendation from family/friends, and/or their personal experience of using a provider previously, to identify which LSP to use.



C1/D2: How did you identify a legal service provider who could help you with your legal matter? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)



# Summary – number of ways of identifying an LSP

Most consumers used one main way of identifying which LSP to use.

- Those who did not compare LSPs (86%) were significantly more likely than comparers (66%) to only use one means of identifying an LSP.
- Those without experience of using an LSP before (86%) were significantly more likely to only use one means of identifying an LSP than those with previous experience of using an LSP (79%).

Number of ways used to identify an LSP	All respondents	Did not compare LSPs	Compared LSPs	Used an LSP before	Not used an LSP before
1 means of identification	82% (612)	86% (498) *	66% (110) *	79% (399) *	86% (210) * ■
2 means of identification	15% (113)	13% (74) *	23% (39) * ■	17% (88) * ■	10% (25) *
3-4 means of identification	3% (20)	1% (4) *	10% (16) *	3% (14)	2% (6)

C1/D2: How did you identify a legal service provider who could help you with your legal matter? Base: All who did not/did compare (B6=2/3/4 / B6=1) (584/166 respectively)



#### Length of time spent looking for an LSP to use

Those who did not compare LSPs were significantly more likely to have spent some time, but less than one hour, searching for an LSP to use, than those who compared.

\* # Consumers whose only/most recent legal matter was probate (34%) were less likely to spend less than an hour looking for their LSP compared to the sample average (44%) but more likely to have spent 'no time at all' (32% versus 18% sample average).

Estimated amount of time spent looking for an LSP	All respondents	Did not compare LSPs	Compared LSPs
No time at all	18% (138)	23% (136) * *■	1% (2)
One hour or less	44% (332)	48% (278) * ■	31% (52) *
2-5 hours	11% (85)	7% (41) *	27% (44) * ■
6 hours or more	13% (97)	9% (54)*	<b>26% (43) *</b> ■

	Did not compare LSPs	Compared LSPs
Mean amount of time spent looking for an LSP	15.6 hours	33.8 hours
Median amount of time spent looking for an LSP	0.08 hours (8 minutes)	2 hours

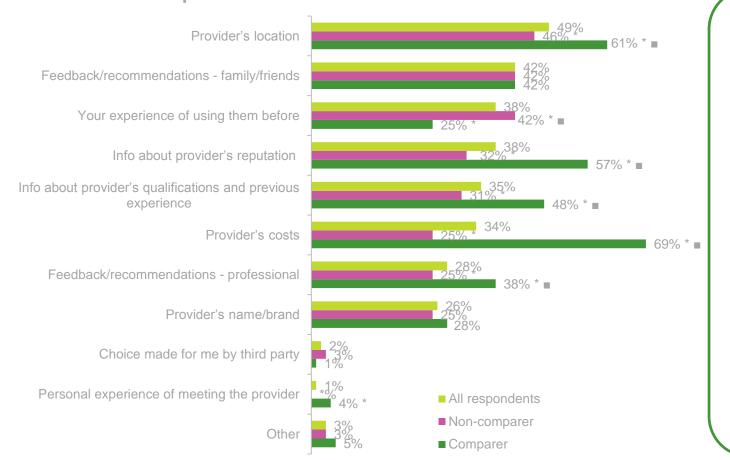
[Note: the mean and median data is skewed by those who said they took a particularly short or long amount of time to look for their LSP (no. of those saying they took more than 10 hours = 81]

C2/D3: Roughly how long did you spend searching for a legal service provider to use, once you decided you needed legal help? Please provide your best estimate in minutes or hours. Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)



## Information used to identify LSPs

Consumers who compared were significantly more likely to have used a range of different information sources to identify their LSP – including location, the provider's reputation, qualifications/previous experience, cost, and feedback/recommendations from a professional – than non-comparers.



\*Consumers whose legal matter was conveyancing were significantly more likely to use their previous experience (51%), cost (46%) or recommendations from a professional (40%) than the sample average.

- \* # Consumers whose legal matter was problems at work were more likely to use provider's qualifications (58%), than the sample average.
- \*Consumers whose legal matter was will-writing were significantly more likely to use recommendations from family/friends (50%), but significantly less likely to use recommendations from professionals (19%), than the sample average.
- \* # Consumers whose legal matter was probate were less likely to use cost (24%), provider qualifications (24%) or recommendations from a professional (14%) than the sample average.

C3/D4: Which of the following types of information, if any, did you use to choose your legal service provider? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)



# Summary – types of information used to identify LSP

# A third of consumers used three to four different types of information to identify which LSP to use.

- Those without experience of using an LSP before (33%) were significantly more likely to only use one type of information to identify an LSP than those with previous experience of using an LSP (20%).
- Those who did not compare LSPs (28%) were significantly more likely than comparers (12%) to only use one type of information to identify an LSP.

Number of types of info used to identify an LSP	All respondents	Did not compare LSPs	Compared LSPs	Used an LSP before	Not used an LSP before
1 type of info	25% (185)	28% (165)	12% (20)	20% (102)	33% (81) ■
2 types of info	18% (135)	19% (111)	13% (22)	19% (97)	16% (38)
3-4 types of info	33% (249)	31% (179)	42% (69) ■	35% (176)	30% (72)
5 or more types of info	21% (156)	17% (101)	33% (55) ■	23% (117)	16% (39)

C3/D4: Which of the following types of information, if any, did you use to choose your legal service provider? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)



#### Information used to identify LSPs - importance





Qualifications/experience was most commonly named as an important factor when identifying which LSP to use, followed by reputation.

- Consumers who compared LSPs were significantly more likely to rank cost (81%) as an important factor than consumers who did not compare (57%). They were significantly less likely to rank LSP brand as an important factor (47%) than those who did not compare (60%).
- # Consumers whose legal matter was probate (47%) were less likely to consider cost to be an important factor, compared to the sample average (62%).

C4/D5: How important, if at all, were each of the following factors to you when you chose your legal service provider? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)

<sup>&#</sup>x27;Important/Unimportant' are a combination of 'very important/unimportant' and 'fairly important/unimportant'.



## Other important factors used to identify LSPs

A small proportion of respondents identified other factors that were important to them when choosing an LSP – such as the provider being understanding and available when needed.

Other important factors used to identify LSPs	
Provider was understanding/personable	7% (n=49)
Provider offered good communication	4% (n=32)
Professionalism of the provider	4% (n=29)
Availability of the provider	4% (n=27)
Easy to use service	3% (n=25)
Specialism of the provider	2% (n=15)
Efficiency	2% (n=12)

"Being treated as though I was important, with courtesy."

"The fact that I got on with them. When I met, there was a connection & I felt they understood the issues properly."

"Their responsiveness to me - and how they responded to the query - i.e. the customer service - the tone and speed of response and their willingness to help/interest in my matter."

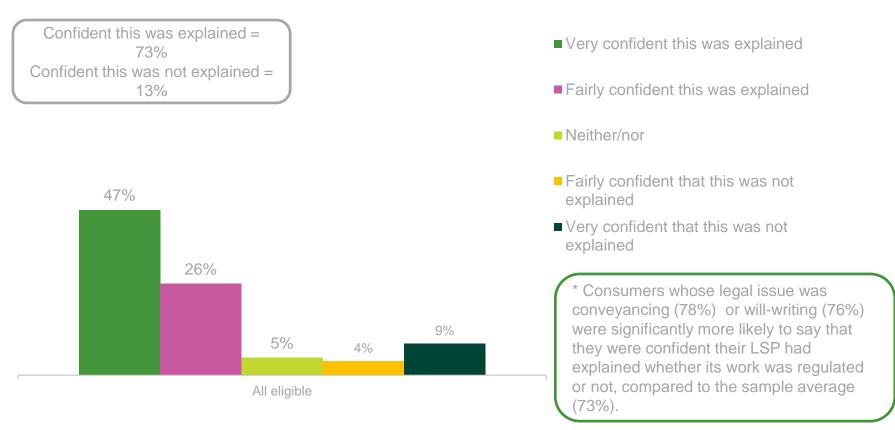
"Knowing that they deal with these issues regularly and would be empathetic."

C5/D6: And what, if any, other factors were important to you when choosing a provider/finding and comparing legal service providers? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively). Note – quotes are provided for illustrative purposes only as a selection of verbatim responses to C5/D6.



# Awareness of regulated versus unregulated LSPs

Three quarters of respondents were confident that their LSP had explained whether its work was regulated or not.



G1\_4: "How confident are you, if at all, that your legal service provider explained the following things to you, either verbally or in writing (or both)? – Whether the service was regulated or not." Base: All eligible (750)

'Confident' is a combination of 'very confident' and 'fairly confident'.



## What respondents know about LSPs (qual.)

#### Different types of provider

- When setting out to find an LSP to assist them with their legal matter, many respondents were only aware of solicitors.
- A minority of respondents were aware of alternative LSPs. The most commonly mentioned included Citizens Advice, barristers, trade unions, conveyancers and will-writers.

"I never thought of a willwriting firm. I didn't even think they existed as a separated body." Comparer, experienced will-writing, used a will writer.

#### Regulated vs unregulated

- The majority of respondents were uncertain whether or not their LSP was regulated.
  - Most had assumed that their LSP was regulated but were unable to cite proof of regulation.
     The assumption of regulation was often based upon the fact that the LSP used was a large firm with a strong brand.
  - A minority were confident that they had proof that their LSP was regulated. These individuals referred to information on websites and documentation.
- While a few were uncertain about what it might mean for a legal service provider to be regulated/unregulated, the vast majority of respondents related regulation to being **protected as a consumer should anything go wrong.** Some felt that quality of service would be higher with a regulated provider through the application of minimum standards.

"I don't think I'd go with someone who was unregulated. It doesn't sound right ... I just take it for granted that they are." Non-comparer, experienced problems at work, used a trade union. "I can't imagine anyone going to an unregulated advisor! I presume someone like the Law Society, just like the GMC sort out the wheat from the chaff with doctors, that the Law Society does it with lawyers. I know you can use anybody as a lawyer but you're a little bit daft if you do." Non-comparer, experienced probate, used an accountant.





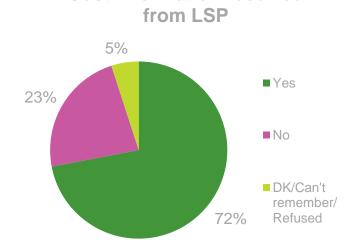
# <u>Accessing information</u> about legal service providers

How consumers obtain this information - cost

#### Receiving cost information

Half of consumers had some idea of the likely cost of the legal service <u>before</u> directly contacting the LSP. Most also received cost information <u>after</u> direct contact with the LSP.

Idea of cost of LSP's work?	All	Did not compare	Compared
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)



Cost information received

C10/D11: Before you made direct contact with your legal service provider, did you have any idea from them of what the cost of their work would be? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)

C7/D8: Can you please think back to the time <u>after you made direct contact with your legal service provider, but before</u> you made a commitment to using them by signing an agreement or contract. Did you receive any kind of information about the cost of their work from them? Base: All who did not/did compare (B6=2/3/4/B6=1) (584/166 respectively)



<sup>\* #</sup> Consumers whose legal matter was probate (61%) were more likely to say they didn't have any idea what the cost of their legal service would be before directly contacting their LSP compared to the sample average.

<sup>#</sup> Consumers whose legal matter was probate (32%) were significantly more likely to say they knew exactly what the cost of their legal service would be before directly contacting their LSP compared to the sample average.

<sup>\*</sup>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.

# Volume of information on legal matter shared to receive cost information

A quarter of respondents had to share detailed information on the nature of their legal matter, in order to receive details on the likely cost of the LSP's work.

What was shared with LSP to get cost information	All	Did not compare	Did compare
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)

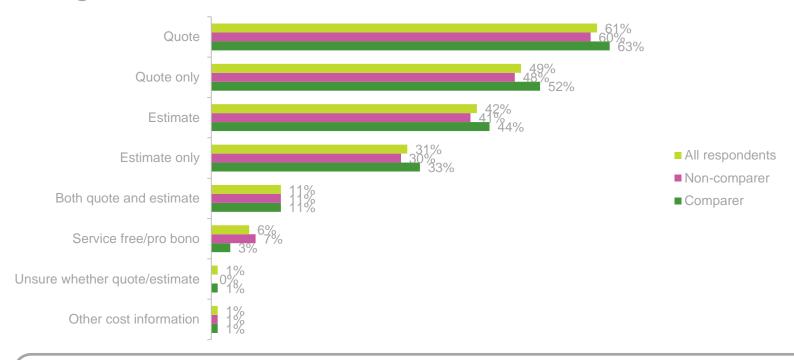
- \*Consumers whose legal matter was will-writing (53%) or conveyancing (49%) were significantly more likely to say that they had to disclose just the legal matter itself compared to the sample average.
- \* # Consumers whose legal matter was problems at work (47%) were more likely to say that they had to disclose the legal matter plus detailed information compared to the sample average.

C11/D12: In order to get cost information from the legal service provider you used, how much information did you have to share about your legal matter? Base: Asked if provided with cost information (C8/D9=1-4) (367/135 respectively)



#### Type of cost information

Cost information from LSPs was most commonly provided as a quotation, followed by an estimate of costs. A small proportion of respondents received their legal service for free.



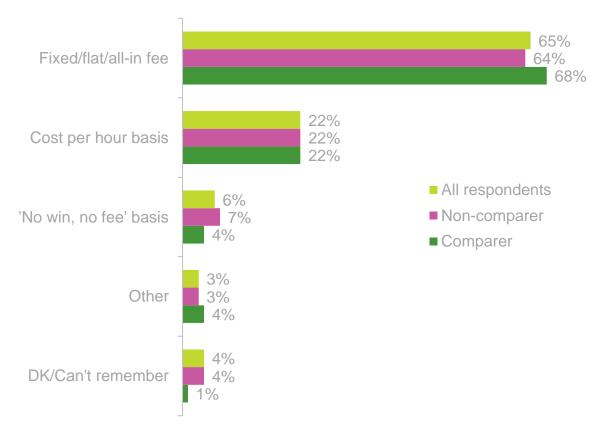
\* # Those whose legal matter was probate were more likely to say they had received only an estimate (53%), and less likely to have received only a quote (35%) compared to the sample average. \*Consumers whose legal matter was will-writing (64%) or conveyancing (59%) were significantly more likely to receive their cost information as a quotation only compared to the sample average.

C8/D9: And which of the following best describes the information you received regarding the cost of the legal service? Base: Those who received cost information from their LSP before signing an agreement. (C7/D8=1) (401/140 respectively)



#### Calculation of cost information/final payment

Cost information/final payment was most commonly calculated as a fixed fee – particularly among those who had compared providers.



\*Those whose legal matter was conveyancing (86%) or will-writing (84%) were significantly 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 were more likely to have had the cost of their work calculated on a cost per hour basis (53%) compared to the sample average, and less likely to have had the cost calculated on a fixed fee basis (41%) compared to the sample average.

C9/D10: Which of the following best describes how the cost information was calculated? Base: Those provided with cost information (C8/D9=1-4) and LSP's work is ongoing (B3=1) (103/52 respectively).

E2: Which of the following best describes how the final amount you paid was calculated? Base: Those whose LSP's work is not ongoing (B3=2) and paid (C8/D9=1/2/3/4/6/7) (350).

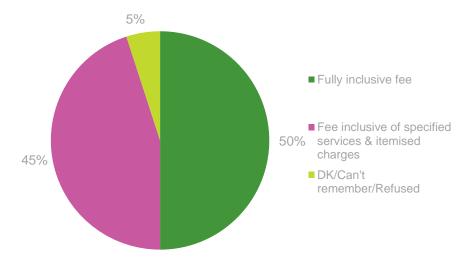
Derived total base = 499 respondents (6 respondents coded 'DK' at C9/D10 have been removed from E2 base).



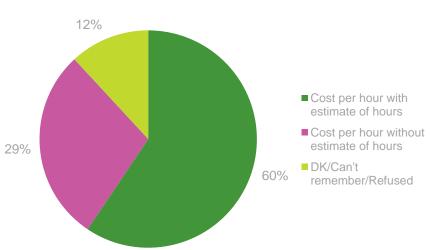
# Breakdown of final payment calculations for those whose legal matter has concluded

Half of those who received a fixed fee cost received it as a fully inclusive fee and just under half as a fee inclusive of specified services/charges. Two thirds of consumers who received an hourly cost received this with an estimate of hours.





#### Final payment calculated as hourly cost



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

Note: indicative findings due to small base size

E3/E4/E5: And which of the following best describes how the fixed fee/hourly cost/no win, no fee' arrangement was calculated? Base: Those whose LSP's work is not ongoing (B3=2) and paid (C8/D9=1/2/3/4/6/7) and selected corresponding code at E2 (E3=253/E4=52/E5=13 respectively)

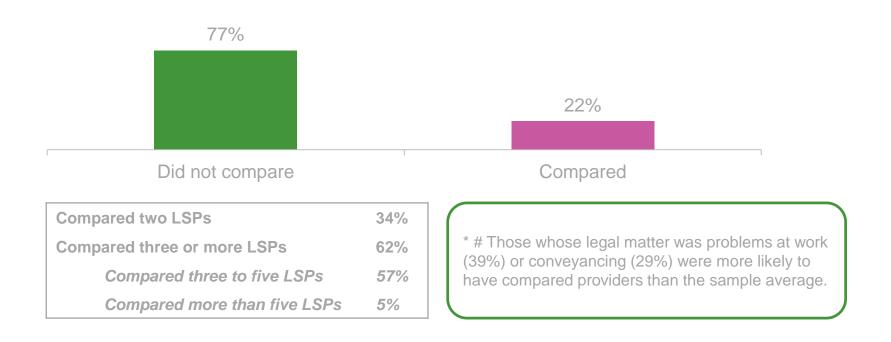




# Assessing information on legal service providers Comparing price

# Most consumers did not compare LSPs...

Of those consumers that did, around half had compared three to five legal service providers, and around a third had compared two LSPs. Overall, consumers compared three LSPs on average.



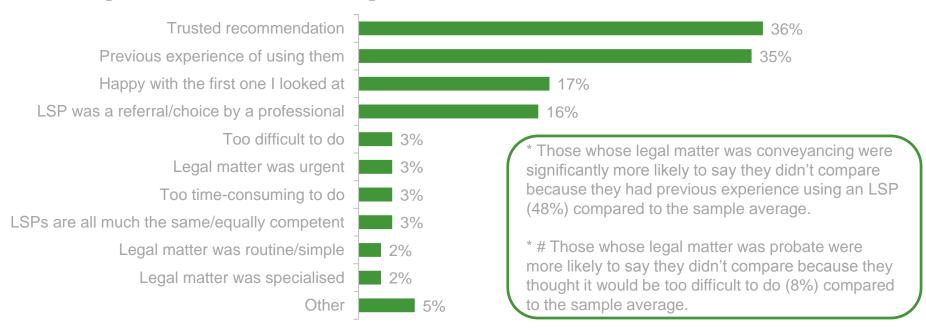
B6: When deciding which legal service provider to use for your legal matter, did you compare two or more legal service providers? Base: All eligible (B3=1/2/3/4) (750)

D1: In total, how many legal service providers did you compare? Base: Those who compared LSPs (B6=1) (166)



#### Reasons for not comparing

The main reasons consumers do not compare are because they have used a trusted recommendation and/or have previous experience of using an LSP – rather than comparing itself being difficult or time-consuming.



#### 34 respondents did not compare because it was too difficult/time-consuming to do

9 said that it was too much hassle to find the necessary information to compare. 5 each said that they didn't know how to compare LSPs or where to find the necessary information. 3 said it wasn't possible to compare LSP quality with the information available. *Note: indicative findings due to small base size* 

C12: Earlier, you told me that in deciding which legal service provider to use, you did not compare between two or more legal service providers. Can you tell me why you did not compare providers? Base: Those who did not compare LSPs (B6=2/3/4) (584)

C13: Why do you say that you thought it would be too difficult/too time-consuming] to compare two or more legal service providers? Base: Those who did not compare LSPs (B6=2) and thought it would be too difficult/time-consuming to do so (C12=8 and/or 9) (34)



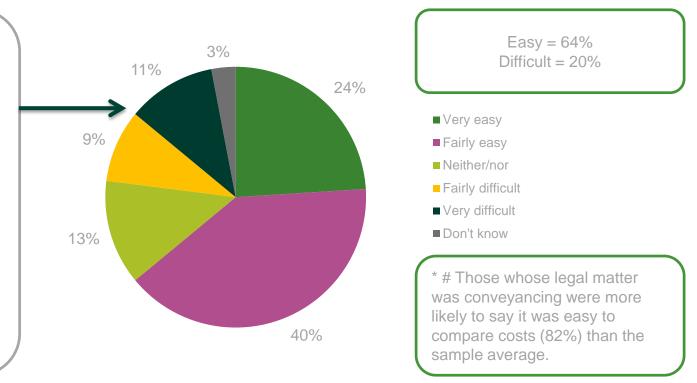
#### Ease of comparing LSPs on cost

Overall, two thirds of those who compared LSPs said it was very/fairly easy to make cost comparisons. However a fifth who compared said that this was difficult to do.

## 33 respondents found it difficult to compare costs

Of these, 17 found it difficult because information was not supplied in a standard/like-for-like way by different LSPs. 16 said it was difficult to get cost information from LSPs. 8 found it difficult because the different items that made up the cost information weren't separated out or broken down in a clear way.

Note: indicative findings due to very small base sizes



D13: Generally speaking, how easy or difficult did you find it to compare the cost of different legal service providers? Base: Those who compared LSPs (B6=1) (166)

D14: Why do you say you found it difficult to compare the likely cost of using different legal service providers? Base: Those who compared LSPs (B6=1) and found it difficult (D13=4 or 5) (33)

'Easy' is a combination of 'very easy' and 'fairly easy'. 'Difficult' is a combination of 'very difficult' and 'fairly difficult'.



## Obtaining and using cost information (qual.)

#### Obtaining cost information

- There was a strong preference amongst the qualitative respondents to have cost information upfront - on first contact with their LSP. Consumers wanted this information to be precise and, understandably, as close as possible to the actual cost for the service, so they could be certain before making a decision about whether to go ahead with the service or not.
- The preferred format was as a fixed fee, with both an overall amount and a detailed breakdown
  of costs. A few consumers also mentioned wanting initial consultation and inception fees
  provided separately.
- Consumers accessed cost information in a variety of ways. Obtaining information over the phone, during initial/kick-off meetings with the LSP, as a letter or in an email, were all mentioned.

"I looked on the website but I don't think it says on the websites of any of them what the prices are, not like if you were going to buy a car or a holiday when you would have an idea of what the cost is going to be."

Comparer, experienced probate, used a solicitor.

"I don't think they are nearly transparent enough about how they bill ... you have no idea and their estimates for the cost are woefully inaccurate ... they massively under quote and they are like builders to that extent, they tell you ten grand but it costs you thirty and you have no idea how they have come up with it and the bills are difficult to understand." Comparer, experienced family matters, used a solicitor.

#### Using cost information

- Half (20) of the consumers in the qualitative interviews had compared LSPs in some way; of these, ten said that they had compared cost information.
- Most cost comparisons made were fairly superficial 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 a quote/estimate.
- One consumer had spent a few days researching LSPs and comparing cost information but this was very much the exception to the norm.
- Those who had compared 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 significantly (e.g. for an accident/injury claim).

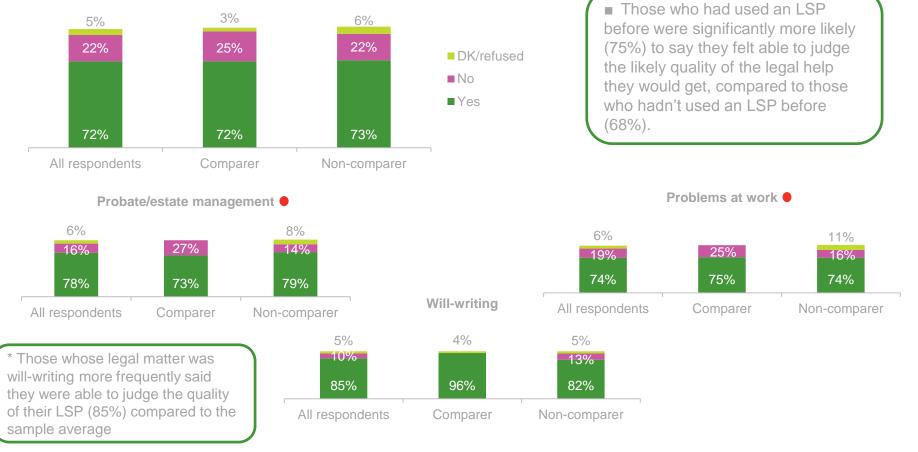




Assessing legal service providers/
the legal services market
Comparing quality

# Judging quality

Most respondents said they did feel able to judge the likely quality of the help they would get, before choosing their LSP.



C6/D7: Before you chose your legal service provider, did you feel you were able to adequately judge the likely quality of the help they would give you (i.e. whether their advice was likely to meet best practice quality standards)? Base: All those who did not/did compare (B6=2/B6=1) (580/166 respectively)



# How do people judge quality? (qual.)





# How do other factors link to quality judgements? (qual.)

#### Cost

Though **cost** was important to respondents – and most had a rough 'upper limit' of what they could afford – generally, cost wasn't felt to be linked to the quality of legal service/advice received.

#### **Customer reviews**

Most respondents said that they tend to use customer reviews when buying a service – such as when going on holiday. However, it was claimed that it is not as easy to use customer reviews when looking for an LSP.

Several respondents had used customer reviews hosted on LSP websites, but were often sceptical about the reliability of the comments. Respondents acknowledged that such reviews tend to be left by certain types of people, such as those with extremely positive/negative experiences.

Moreover, it was stated by some respondents that reviews were often unhelpful as they might relate to a form of legal work that was not pertinent to their situation.

#### Professional / membership bodies

Respondents were aware of the Law Society and Society of Will Writers – but did not know much about them.

Some felt that those providing legal services would automatically be part of the Law Society to be able to practise (thinking about it almost as a regulator).

A handful of respondents used the Law Society website to find appropriate LSPs.

#### **Quality mark schemes**

Respondents were familiar with the concept of a quality mark scheme, but the **vast majority were unaware** of a quality mark scheme that applied to LSPs.

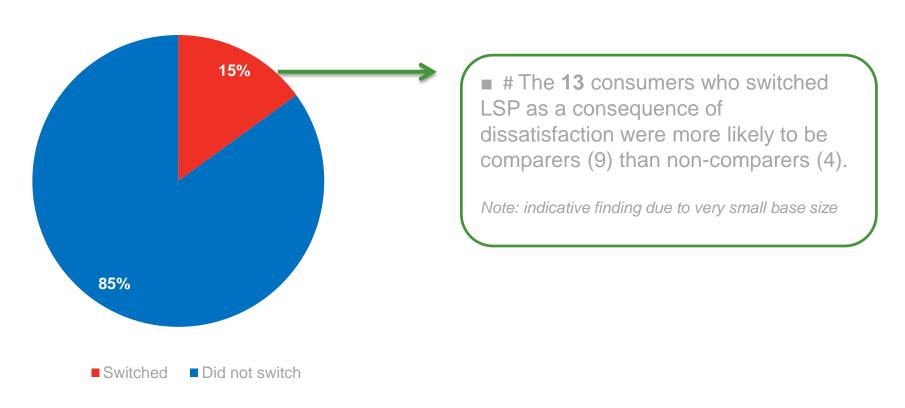
"A lot harder for legal considerations; if it is a car you will have hundreds of magazines and loads of people doing it, and the same with a holiday, you will have reams of reviews. For legal work, it is very specific and tailored towards that person so to be able to get a fairer review is a lot more difficult." Comparer, experienced will-writing, used a solicitor.



Acting on information

## Switching legal service providers

Thirteen people (15%) of consumers who were dissatisfied with the quality of service and/or advice switched their legal service provider.



G8: Did you switch to another legal service provider? Base: Those who were dissatisfied with quality of service and/or advice (F1/F3=4 or 5/F5=4 or 5) (85)





Consumer experience – price

## Final amount paid by those whose legal matter is concluded

39% of consumers paid up to £500 for their legal service, 20% between £501-£1,000 and 23% between £1,001-£5,000). 6% paid more than £5,000. The mean amount paid was £1,591 per consumer.

Final amount paid for LSP's work	All respondents	Compared	Did not compare
Less than £100	12% (42)	10% (8)	13% (34)
£100-£250	11% (40)	10% (8)	12% (32)
£251-£500	16% (56)	11% (9)	18% (47)
£501-£750	10% (36)	15% (13)	9% (23)
£750-£1,000	10% (34)	12% (10)	9% (24)
£1,001-£1,500	7% (26)	12% (10)	6% (16)
£1,501-£2,000	7% (23)	8% (7)	6% (16)
£2,001-£5,000	9% (31)	8% (7)	9% (24)
£5,001-£7,500	2% (7)	2% (2)	2% (5)
£7,501-£10,000	1% (3)	1% (1)	1% (2)
£10,000 or more	3% (10)	2% (2)	3% (8)

- \* Those whose legal matter was conveyancing were significantly more likely to have paid £501-£1,000 (34%) or £1,001-£5,000 (34%) compared to the sample average.
- \* # Those whose legal matter was will-writing were more likely to have paid up to £500 (70%) compared to the sample average.

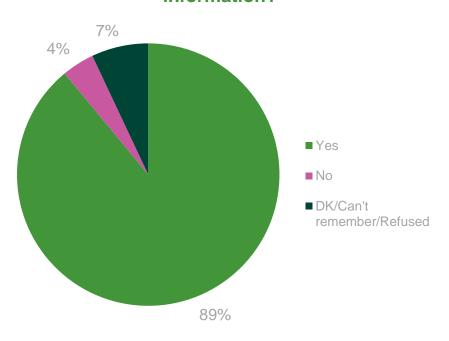
E1: In total, how much did you pay for the work done by the legal service provider in relation to your legal matter? This is the total amount you paid, including VAT and third-party fees (disbursements). If you don't know the precise amount your best estimate will be fine. Base: Asked if LSP's work was not ongoing (B3=2) and paid (C8/D9=1/2/3/4/6/7) (350)



### Final amount calculations versus information

For the majority of respondents whose legal matter was concluded, the final amount they paid for their LSP's work was calculated on the same basis as the LSP had provided cost information (mostly a fixed fee).

## Final amount calculated on same basis as cost information?



- \* Legal matter = conveyancing were significantly more likely to say their final amount paid was on the same basis as the cost information (95%) compared to the sample average.
- \* # Legal matter = problems at work were less likely to say their final amount paid was on the same basis as the cost information (64%) compared to the sample average.
- \* # Legal matter = an accident/injury claim were less likely to say their final amount paid was on the same basis as the cost information (56%) compared to the sample average.

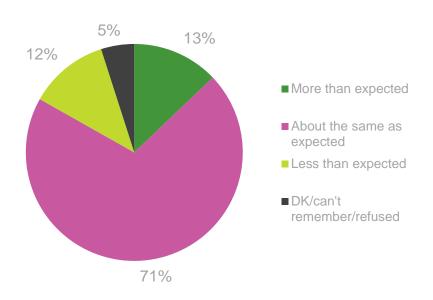
E6: And was the final bill calculated on the same basis as the cost information you received initially? Base: Asked if LSP's work was not ongoing (B3=2) and received cost information (C8/D9=1-4) (344)



## Final amount calculations versus expectations

Similarly, for the majority of respondents whose legal matter was concluded, the final amount they paid was generally in line with what they had expected to pay.

## Final amount more, less or the same as expected?



- \* Those whose legal matter was conveyancing were significantly more likely to say they paid the same as expected (82%) than the sample average.
- \* # Those whose legal matter was probate were more likely (25%) to say they paid more than expected and also less likely to say they paid what they expected to pay (53%) than the sample average.

Note: indicative findings due to small base size

### Why did 45 respondents say they paid more than expected?

Because the work took longer than originally estimated by the LSP (18):

They had underestimated the cost of the work (9); There was 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).

Note: indicative findings due to small base size

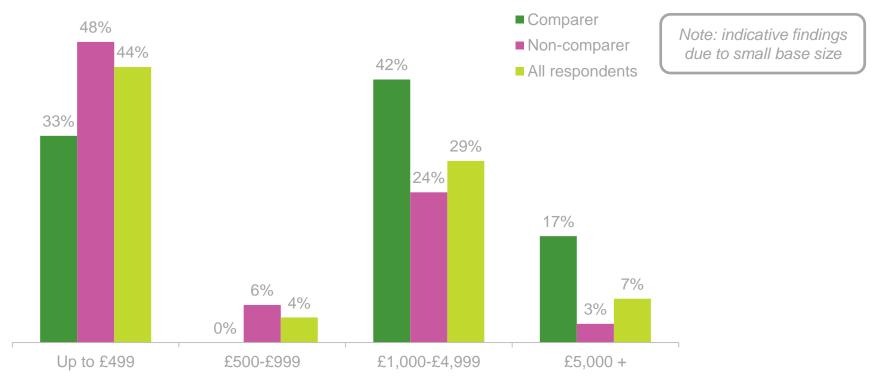
E7: Thinking about the final amount you paid for the work done by the legal service provider in relation to your legal matter, was this more than you expected to pay, the same as you expected to pay or less than you expected to pay? Base: Those whose legal service provider has concluded work on the legal matter and have paid for the legal service ((B3=2) AND (C8=1/2/3/4/6/7 OR D9=1/2/3/4/6/7)) (350)

E9: As far as you know, why was your final bill more than you expected? Base: Those whose LSP's work is not ongoing (B3=2) and paid more than expected (E7=1) (45) ●



# How much more consumers paid for their legal service than expected

Almost half of consumers (44%) paid up to £499 more than they had expected for their legal service. Almost a third (29%) paid between £1,000-£4,999 more than expected.



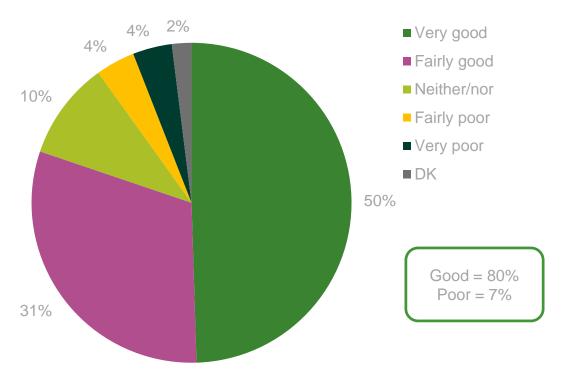
E8: In total, how much more than expected did you pay for the work done by the legal service provider in relation to your legal matter? Base: Those whose LSP's work is not ongoing (B3=2) and paid more than expected (E7=1) (45)



## Value for money

Majority of consumers whose legal matter was concluded feel that the value for money received from their LSP was very/fairly good

#### Value for money from LSP was...



\* # Those whose legal matter was will-writing were more likely to say their value for money was good (88%), compared to the sample average.

E10: Overall, how would you describe the value for money you received from your legal service provider? Would you say it was ...? Base: Those whose legal service provider has concluded work on the legal matter and have paid for the legal service ((B3=2) AND (C8=1/2/3/4/6/7 OR D9=1/2/3/4/6/7)) (350). 'Good' is a combination of 'very good' and 'fairly good'. 'Poor' is a combination of 'very poor'.

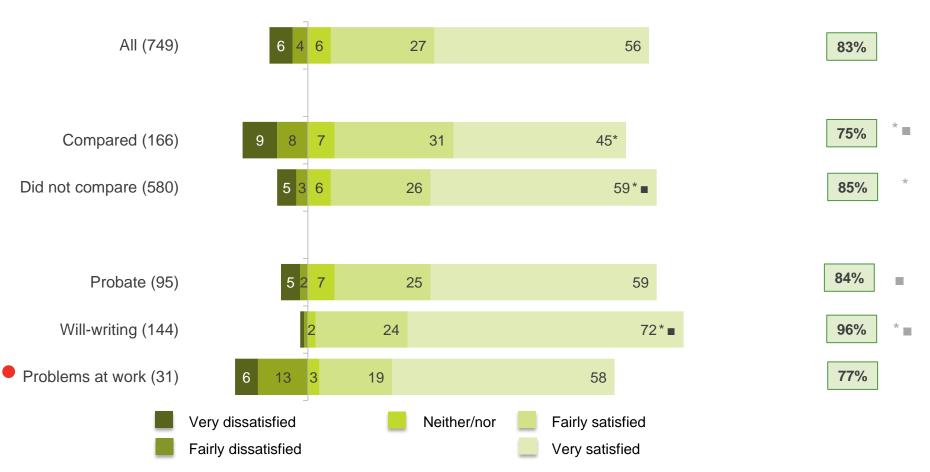




Consumer experience – quality

## Satisfaction/dissatisfaction with the quality of legal service

#### **Total satisfied**



F1/F3: Overall, how satisfied or dissatisfied are you so far with the <u>quality of service</u> you are receiving/received from your legal service provider (this is separate to the <u>quality of the legal advice</u> you are receiving/received)? Base: All eligible, n=749 (1 'DK' response removed from total base) (see brackets for Ns)



Satisfaction/dissatisfaction with specific aspects of

<u>legal service</u>

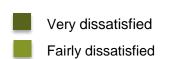
How efficiently they responded to any issues

The clarity of information on the initial cost estimate or quotation

The level of explanation given about the progress of and key developments in the case

The clarity of information on any changes to the service to be provided

The clarity of information on any changes to the initial cost estimate or quotation





F2/F4: And how satisfied or dissatisfied are you so far with each of the following aspects of the service you are receiving from your legal service provider? Base: All eligible (749) (1 'DK' response removed from total base)



% that

compared

and are

satisfied

69%

81%

67%

58%

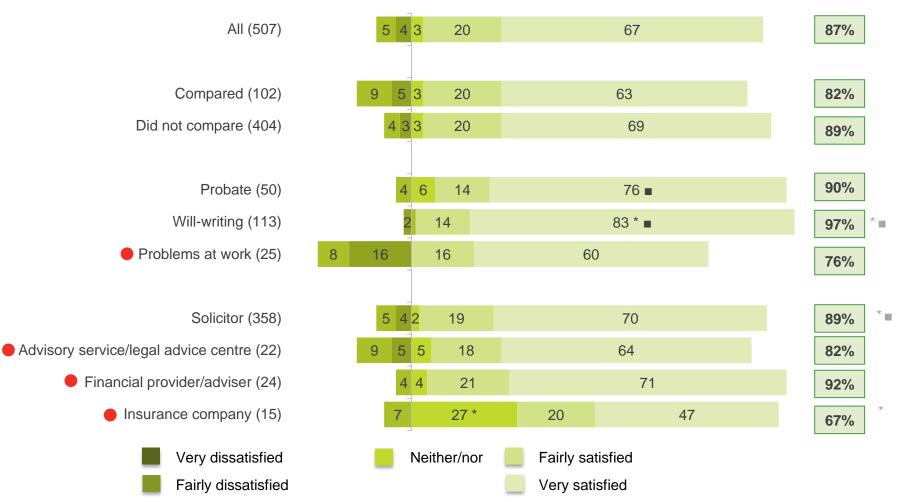
54%

## Satisfaction/dissatisfaction with the quality of legal

<u>advice</u>

\* Those whose legal matter was will-writing (97%) or conveyancing (92%) were significantly more likely to say they're satisfied compared to the sample average.

#### **Total satisfied**



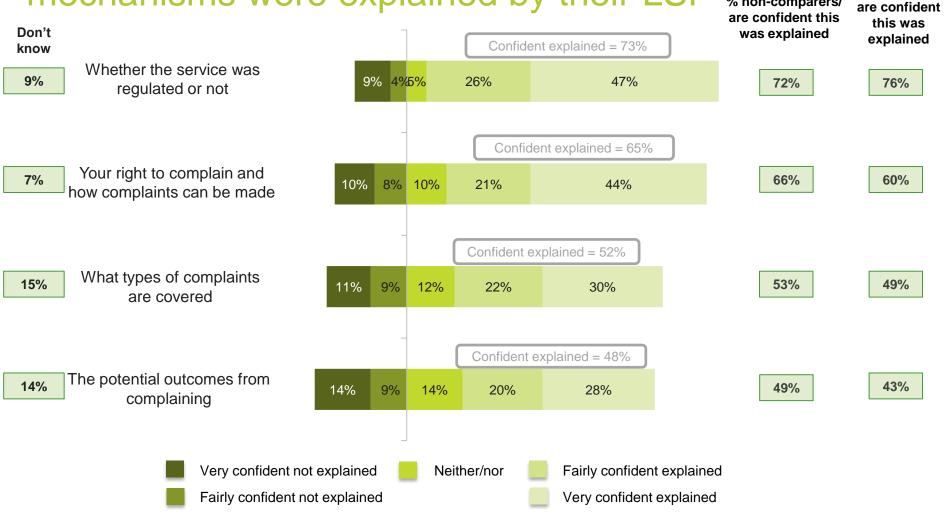
F5: Overall, how satisfied or dissatisfied were you with the <u>quality of the legal advice</u> you received from your legal service provider? Base: Those whose LSP's work is not ongoing (B3=2) (see brackets for Ns)





Consumer experience – complaints & redress

## Most are confident that regulation & redress mechanisms were explained by their LSP % non-comparers/

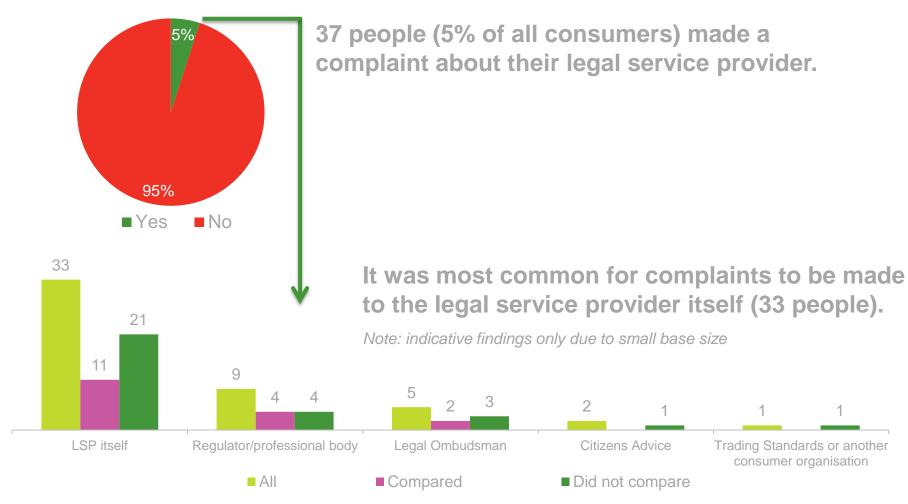


G1: How confident are you, if at all, that your legal service provider explained the following things to you, either verbally or in writing (or both)? Base: All eligible (750). 'Confident' is a combination of 'very confident' and 'fairly confident'.



% comparers/

## Complaining about LSPs



G2a: May I just check, at any point did you make/have you made a complaint about your legal service provider? We mean a complaint about quality of service, quality of advice and/or the legal service provider's conduct. Base: All eligible (750)

G2: Which of the following, if any, did you make a complaint to? Base: Those who made a complaint (G2a=1) (37)



What happened as a result of the complaint (n=34) ●	n/%
Nothing YET – the complaint is ongoing	9 (26%)
Nothing – I did not receive/have not received a response to my complaint	7 (21%)
I received an apology from the legal service provider	4 (12%)
The legal service provider did additional work to correct what had gone wrong	4 (12%)
I received an explanation of what had gone wrong and why	3 (9%)
I was awarded compensation	2 (6%)
Nothing – I gave up the complaint	2 (6%)
Nothing – there were no grounds for my complaint	2 (6%)
My bill was reduced/refunded	1 (3%)
My complaint was resolved	1 (3%)
My legal service provider was dismissed	1 (3%)
Other	1 (3%)

Satisfaction with the handling (n=34)/ outcome (n=18) of the complaint				
Very satisfied	Handling	5 (15%)		
	Outcome	1 (6%)		
Fairly satisfied	Handling	7 (21%)		
	Outcome	6 (33%)		
Neither/Nor	Handling	7 (21%)		
	Outcome	5 (28%)		
Fairly dissatisfied	Handling	2 (6%)		
	Outcome	1 (6%)		
Very dissatisfied	Handling	12 (35%)		
	Outcome	5 (28%)		
Satisfied summary	Handling	12 (35%)		
	Outcome	7 (39%)		
Dissatisfied summary	Handling	14 (41%)		
	Outcome	6 (33%)		

G3: What, if anything, happened as a result of your complaint? Base: Those who made a complaint to LSP/regulator/legal ombudsman (G2\_1/2/3/4/5=1) (34) G5: How satisfied or dissatisfied were you with the outcome of your complaint? Base: Those who complained and said there was an outcome (G3=1,7,9 or 10) (18)

G6: How satisfied or dissatisfied were you with the handling of your complaint (that is, the complaints process overall)? Base: Those who complained to their LSP, the regulator and/or the legal ombudsman (G2\_1/2/3=1) (37)



## Reasons for not complaining among dissatisfied users

Almost all consumers who were dissatisfied with the the quality of service and/or advice delivered by their LSP (64 from a total of 85) did not make a complaint. The most common reason for not making a complaint was that it was considered too time-consuming.



G7: Earlier, you mentioned to me that you were dissatisfied with the quality of service and/or quality of legal advice you received/you have received so far from your legal service provider. Why didn't you make/haven't you made a complaint? Base: Those dissatisfied with quality of service and/or advice (F1/F3=4 or 5 and/or F5=4 or 5 and did not complain (G2a=2) (64)





Consumer experience – suggestions for improvements

## Summary of experiences (qual.)

Overall, respondents were satisfied with their experience of using an LSP – they found it easy and straightforward, and were broadly happy with the work done and the costs of this. However, there were some elements of dissatisfaction. For example:

- One respondent felt that the LSP (a financial provider) had 'caught them' at a vulnerable time so they ended up paying more than expected (legal matter related to probate/estate management after wife's death)
- One respondent who felt that overall they'd had a positive experience – would not use their LSP again (a legal advice centre) as they were not very proactive when providing help, but expected the respondent to do most of the work themselves (the centre pointed them in the right direction).

"They sold us, it was totally sold. They had worked out exactly how long after [my wife died] to approach me. I think they wouldn't speak to me for 2 or 3 weeks, and knew exactly what questions to ask then. It was a very slow process to start with. I wasn't hurried or anything. I was treated well and I wouldn't have any complaints until the bill came through." Non-comparer, experienced probate, used an accountant.

A few consumers had mixed views on their overall experience – issues which stood out for these consumers was the time it took to search for and find a provider that was suitably (in the consumer's mind) experienced for the specialist legal matter; and a lack of/poor communication from the LSP.



## Would people do anything differently? (qual.)

#### Do more of the work themselves

A few whose legal matter was conveyancing or probate said that they would try unbundling in the future.

#### Used other sources of information

A few felt that they would have contacted organisations such as The Law Society at the time had they been more aware of them and what they did.

#### Looked at a 'league table'/ comparison site

- Many mentioned that it would be useful to have had an online ranking table or some similar basis on which to draw comparisons between providers, and that not being able to use a single source of information had discouraged them from making comparisons.
- One consumer 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.

#### Get more information on the LSP

- · Going online and making comparisons between providers.
- This also included looking at customer reviews on providers' websites.

There was a general and recurring theme amongst qualitative interviewees of the desire for a main website or information source which they could easily use to identify an LSP to choose, and to assess quality. As far as consumers were aware, such a source was not available. Information which consumers identified would have been useful to know include 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.



Summary of consumer experiences

## Key findings – accessing information

- Conveyancing was the most frequently experienced legal problem (26%) followed by will-writing, probate and family matters;
- Solicitors were the main LSP type used (69%);
- The majority of consumers had used an LSP previously (67%);
- Three quarters (73%) felt confident it was explained whether their LSP was regulated or not;
- Around half (52%) had at least a rough idea of what the cost of their legal help would be <u>before</u> directly contacting the 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 quote, 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 quote.
- Those whose legal matter was probate were more likely to get only an estimation (53%).

## Key findings – assessing & acting on information

#### **Judging quality**

The majority felt able to adequately judge the likely quality of the help they would get, before choosing their LSP (72%).

#### Cost

For the majority of respondents whose legal matter was concluded, the final amount they paid for their LSP's work was calculated on the same basis as the LSP had provided cost information (89%).

For most, the final amount paid was generally in line with what they had expected to pay (71%). Relatively few (13%) paid more than expected.

Regulation & redress Most are confident that regulation & redress mechanisms were explained by their LSP.

Very few had made a complaint (5%) – most often to the LSP itself.

Where consumers were dissatisfied but did not complain, perceptions of how long it would take and/or expectations that the complaint would not be resolved to their satisfaction were the most common reasons given for not doing so.



## Comparers vs non-comparers

The majority of consumers did not compare LSPs (77%). This was mainly because they had received a trusted recommendation (36%) or had previous experience of using the LSP (35%).

#### **Identifying LSPs**

Non-comparers: personal experience of using the LSP was a key factor.

**Comparers:** Significantly more likely to use internet search engines to identify LSP.

#### Choosing LSPs – location of provider a key factor in decision-making

**Non-comparers:** LSP location, feedback/recommendations from family and friends, and previous experience of using the LSP were key factors.

**Comparers:** Cost of legal service, location and LSP reputation were key factors (particularly cost).

#### **Exploring costs**

- No significant differences between non-comparers and comparers in their experience of accessing and assessing cost information.
- For those who did compare costs, a fifth (20%, or 4% of all consumers) had difficulty.

#### **Customer experience**

Generally, non-comparers were more satisfied than comparers at an overall level and across a range of measures.





Annex 1: Technical notes

## Quantitative questionnaire structure

- **Introduction** introduces the research, CMA and establishes whether respondent is willing to participate.
- Screener questions establishes whether a legal matter has been experienced since 1<sup>st</sup> January 2014, location (England/Wales), aged 18+ at the time of the legal matter. Includes a 'next birthday' question to ensure random selection of respondents in households with 2+ potentially eligible respondents.
- Identifying the legal matter(s) (A5 and A7 read out).
- Identifying the LSP(s) used (B1 and B2 read out).
- Identifying whether case concluded/ongoing, first-time user of LSP or not, compared/had not compared LSPs.
- **Section C** (for people who did not compare) & Section D (for people who compared) establish how LSP was identified, time taken to search, choice factors and importance, what type of information gathered (cost), why didn't compare, ease of comparing.
- Section E Clarity of fees asked only of those whose legal issue is completed and where a fee has been paid. Covers the final amount paid, whether this was more/less than expected and why.
- Section F Quality of advice and service establishes satisfaction with the quality of service provided by the LSP and, for those whose legal issue is completed, their satisfaction with the quality of legal advice they received and the outcome of their legal issue.
- Section G Current regulations and redress mechanisms, after a purchase is made establishes whether respondent was made aware of complaints/redress processes, whether or not they made a complaint about their LSP, why/why not, and the nature of the complaint if one was made (who to, what about), satisfaction with how the complaint was handled and the outcome of the complaint.
- **Sections H and I** collects demographic information such as age, gender, ethnicity, working status, as well as permission to re-contact for qualitative interview recruitment



## Final – quant. sample and fieldwork

	Sample outcome	Final total			
Α	Starting sample	83,200			
В	Fresh (sample not called)	69			
C	Effective starting sample	83,131			
D	Unusable records, e.g. unobtainables, business 29,97 numbers				
Ε	Usable leads (C-D)	53,160			
F	Answered	25,746			
G	- Of which interview completed	750			
Н	<ul> <li>Of which eligible survey leavers</li> </ul>	221			
1	- Of which ineligible survey leavers	5,696			
J	- Of which refused	19,079			
K	Incidence rate (G+H) / (G+H+I)	14%			
L	No answer	27,414			
M	Estimated "No answer" ineligible leads (L x 86%)	23,576			
N	Estimated "Refused" ineligible leads (J x 86%)	16,408			
0	Total estimated eligible respondents (E - 7,480 (I+M+N))				
P	Response rate (G/O)	10%			
Q	Refusal rate (J/F)	74%			

- 11 face-to-face cognitive interviews to test respondent understanding of the questionnaire were conducted during w/c 29<sup>th</sup> February 2016.
- The quantitative fieldwork ran from 21<sup>st</sup> March to 1<sup>st</sup> May 2016 (750 completes).
- The qualitative follow-up interviews were conducted between 4<sup>th</sup> April and 20<sup>th</sup> May 2016 (40 completes).

## **Quality control**

The survey has proven much more challenging than originally envisaged and throughout the fieldwork we have had to address a number of issues in order to achieve the interviews

- The **refusal rate** was much higher than expected (74% of those who answered the telephone). It is unclear why this should be the case but we suspect it to be related to a) the sensitive subject matter and possible consumer concerns about cold-call scams and b) the relatively low awareness of the CMA amongst the general public. To address this we experimented with a number of different ways of introducing the survey to establish how best to maximise engagement in the first few seconds of the telephone call.
- The **incidence level** for the survey was lower than expected. The survey was costed and resourced on an CMA/IFF agreed incidence of 20%. Whilst the incidence of those who had a legal issue in the last two years was 17%, not all were eligible to participate in the survey as they had not used a legal services provider. The actual incidence for the survey was 14%. Given the impact of the lower incidence rate on the number of interviews that could be achieved in the time available for fieldwork, the CMA agreed that the target achieved sample size could be reduced from 1,000 to 750 interviews.
- The survey also experienced drop-outs between being established as eligible for the survey and going on to complete the survey. To reduce this, we amended where possible (with CMA approval) the questions where dropouts tended to occur.
- To compensate for the higher refusal rate, the lower incidence rate and the drop-outs we purchased an **additional 63,200 RDD sample records**, i.e. 83,200 records in total.
- Throughout the fieldwork period we prioritised the survey in our CATI centre to ensure that we had as many telephone interviewers as possible allocated to it. The scale of the survey fieldwork effort can be judged from the fact that we made **over 221,000 telephone calls** to reach the revised target sample size.





Annex 2: Respondent profiles

## Strand 1: quantitative fieldwork

#### Total number of interviews at end of fieldwork: 750

Respondent profile (based on 750 respondents):

- Region (A3): 95% England, 5% Wales
- Age (H1A): 4% 18-30yrs, 30% 31-50yrs, 48% 51-70yrs, 17% 71+yrs
- Gender (H1): 45% Male, 52% Female
- Ethnicity (H2): 91% White, 7% BME/Other
- Education level (H6): 23% Up to Level 2 (incl. "none"), 14% Level 3, 9% Levels 4/5, 42% Levels 6/7/8
- Employment status (H5): 54% employed, 45% retired/unemployed/student
- Parent status (H4): 77% have children, 22% do not have children
- ESL (H3): 95% have English as their main language, 5% do not

## Strand 2 - qual. fieldwork

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



## Thank you

