



Interim research findings: consumer attitudes to the purchase of legal services



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Qualitative research study completed in September 2010. Key aim: assess customer understanding of legal services providers & regulation

- Previous MoJ research shows users of legal services are generally satisfied with the service they receive & amount of choice that they have.
 - However, some evidence to suggest that those who purchase legal services are not necessarily 'informed consumers'
 - Poor understanding of who has handled their case
 - Lack of knowledge about where to complain
 - Few of those who have a grievance choose to complain
 - Potential risks for the consumer as the market opens up, and services such as wills and conveyancing are 'commoditised'
- This was research conducted in the context of the debate around the separate business rule: to help assess potential risks to consumers

An in-depth qualitative approach was used to examine experiences, perceptions & attitudes. This contains interim findings, a full report will be produced in due course

40 in-depth interviews face to face

- Qualitative methodology allows spontaneous & informed comment
- One-to-one approach avoids 'contamination' of results through group influence, allows participant time to describe own context for seeking legal services
- Each interview lasts one hour, held in participant's home or in a central location, audio recorded for analysis
- Interviews conducted by highly trained members of the in-house qualitative team

Test understanding of services and providers

Drivers of choice?

What is understood from marketing & signage?

What are the categories of legal advisor?

Examine understanding of regulation

Which services / providers require regulation?

Who regulates?

What protection does regulation provide?

Examine understanding of protection

Ts & Cs?

Unregulated firms?

Complaints processes?

In-depth interviews held in 3 locations across England & Wales

- Half with those who have recently accessed legal services, half intending to purchase a legal service
- Range of age, life stage and social grade to explore variations
- Mix of gender & marital status
- Range of legal services including conveyancing, will-writing, probate, divorce & accident or injury claims
- Some via intermediary such as estate agent or IFA
- Range of provider type including authorised and non-authorised providers

A robust qualitative sample, covering a broad range of circumstance & experience

There is a low level of knowledge & understanding of legal services, and of the nature and types of legal service providers available

- There is a low propensity for proactive information-seeking on potential providers, and a considerable reliance on personal recommendation
- Desired attributes in a provider are long track-record of experience in providing a similar service and a level of specialisation, but consumers find it difficult to make an informed assessment of their provider
- Consumers expect all legal services providers be appropriately skilled, qualified and regulated, and do not make distinctions between providers on these bases. They are more likely to seek to distinguish between providers on the basis of customer service skills
- There is a high level of faith in the professionalism of legal services providers, and there is little sense of a risk that anything could go wrong
- There was no awareness of legal services regulators, and little knowledge of the regulatory system.
- There was a great deal of surprise & concern that legal services can be unregulated & none had previously considered the consequences of using an unregulated provider

Purchasing of legal service is driven by circumstances and life events, meaning consumers are vulnerable and seek reassurance

- Priority is to identify a provider that they can communicate with, and to feel reassured that the service will be provided competently
 - Little sense of desire to receive a good 'quality' of legal service
- Legal services are a 'black box': no knowledge of what is involved, process is obscure for most people: difficult to assess except through superficial cues
- There is a high level of faith in legal services providers:
 - Expertise, skill and qualification are not questioned
 - Nature of being a legal services professional means that it would be difficult or impossible to 'cheat'

It's outside of my expertise...I feel quite similar sometimes when there's something wrong with my car and I go to a garage and they say it's £500. If it was £50 I'd be none the wiser, so it's...more about me not being educated...[Experienced, Female, London]

Personal recommendation is key to identifying a suitable provider

- Almost all experienced participants had taken a recommendation from a friend or family member, or from someone who had used the provider for a similar purpose
- Recommendations were trusted fully, and participants tended to follow these without carrying out any additional information-seeking
 - Difficult to make an informed comparison between providers
 - Purchase intenders claimed that they would compare providers, but this was not borne out in interviews with 'experienced' participants

I think I just went for it straight away to be honest, because I was quite happy with what they said and my friend recommended them. So I think I just said okay, there's my money – bye!' It was a bloke, he seemed to know what he was talking about, and made you feel really comfortable, and I instantly trusted him.

[Experienced, Female, Leeds]

I would feel happy going to the estate agents, and almost letting the estate agents coordinate everything, maybe we pay a little bit more for the solicitor, I don't know how it works, but I'd feel happier knowing that everything is in the same building if that makes sense.

[Intender, Female, Leeds]

Factors considered when choosing a provider

The key driver was to identify a provider who is established and experienced

- Skills and expertise are taken for granted, and therefore not proactively sought
I would assume qualifications; it's like going to a doctor. [Experienced, Male, London]
- Important for providers to have a long track record, and a good reputation for providing similar services
- Experience tended to be rated above qualification

It's a comfort thing if someone has been around for quite a long while... [Intender, Female, Leeds]

I'd rather someone who has proved themselves at work rather than someone straight out of university. So for qualifications, as long as he's got a proven track record in what he's done that's fine. [Intender, Female, Leeds]

Arguably you could be qualified and have no expertise and no experience [Current, Female, London]

That's [qualifications] an obvious one really isn't it? To be honest I wouldn't even know what qualifications solicitors should have. You could walk in and they've have all these qualifications on the wall, and it would look impressive, but it could be anything couldn't it? Before it wouldn't even have crossed my mind... [Intender, Female, Leeds]

Factors considered when choosing a provider

- Good customer service skills were also cited as being very important to provide reassurance

I'd look for someone I found easy to talk to. [Intender, Male, London]

I wouldn't mind paying for someone I could comfortably talk to and spoke in my language and communicated with me often. [Intender, Male, London].

Factors considered when choosing a provider

Recommendation tended to be followed without question, but some superficial cues were also used

- When asked which factors they would be willing to sacrifice for a lower price, none felt that they would compromise on expertise, qualification or protection.
- However, participants found it difficult to assess these factors in a potential provider, and tended to revert to seemingly superficial cues to make their assessment: letters after the name, a good address, website that seems legitimate, certificates on the wall, personal appearance of the staff

I'm quite sold by posh English people with grey hair and briefcases. [Intender, Male, London]

He is based in Sloane Square so I guess I made some assumptions, in that; [he was] well qualified, probably making some good money to be based there. [Experienced, Male, London].

The website looked nice, nice typography [Intender, Male, London]

I just trusted her completely because we've used her before...and she seemed honest. [Experienced, Female, London].

- Protection was not considered important because it is assumed

I can't understand what would go wrong other than the solicitors going bust or something...so to me I haven't got a lot to say about that...it doesn't mean anything to me. I'd rate that quite low. [Intender, Female, Leeds]

Understanding of marketing and signage

Participants were prompted with a list of provider names, & asked to rank in order of extent to which they were trustworthy & well qualified.

- Ranking was highly inconsistent, and participants found the task difficult
- Key indicators were:
 - Overall impression created by the brand name giving a sense of an established, trustworthy or prestigious provider.

Heritage you think of something that goes back – and that they've been doing it a long time. And you think that they specialise in writing wills only and so they should know what they are doing, you read it that that's the only thing that they do. [Experienced, Female, Leeds]

They have more experience in will writing, so you'd be willing to...pay a little bit extra for that expertise. [Experienced, Male, Leeds]

- The name creating an impression of a specialism, important as experience is the most highly valued attribute. Ranked highest
- Inclusion of the word 'solicitor' or 'lawyer'.

If they were solicitors, I think they'd say they were solicitors. [Experienced, Male, London].

GfK Understanding of categories of legal adviser

Participants were prompted with a list of job titles of legal services, & asked to rank in order of extent to which they were trustworthy & well qualified.

- Again, ranking was highly inconsistent, and participants found the task difficult
- Key indicators were:
 - **Solicitors** were consistently ranked highly, as being most qualified and trustworthy.
 - For some, the words **professional** or **licensed** held weight, meaning that *licensed conveyancer* and *professional will-writer* were ranked more highly, although never more highly than a solicitor.
 - **Paralegal** was not well understood, and most tended to rank this lower. Some thought that this might be a trainee solicitor.
 - Inclusion of the word adviser led people to rank the job title lower, meaning that legal adviser was ranked lower
 - It was thought that solicitors would be most highly qualified of the professionals, but many thought that **legal advisers**, **licensed conveyancers**, and **professional will-writers** would also have some kind of legal qualification, although they were thought likely to offer better value for money. It was thought possible, therefore, that these professionals might offer similar skills, but for less money.

GfK Understanding of categories of legal advisor

The solicitor is the most senior and the most important...the one I would respect the most. [Experienced, Male, London]

Professional will writer, that's not very hard, I could do that. [Experienced, Female, London]

The will man, he's a solicitor, he's passed his exams. [Experienced, Female, Bridgend]

I have no knowledge of a professional will writer and once it's written whether they then have to get it underwritten by a paralegal or if they have the power to write a legal will which I imagine they would be a professional will writer... I wouldn't go to anyone else to write a will, I'd go to a will writer . [Experienced, Male, London]

Paralegal I think are like nearly-qualified solicitors. [Experienced, Female, London]

Understanding of regulation

Participants had not previously considered the issue of regulation in relation to the legal services industry. On consideration, they said that they had assumed that there must be regulation of the industry

- High level of trust in the professionalism of legal services providers, with some believing that it would be difficult or impossible to act improperly
- Qualifications are perceptually linked with regulation
- Indications that participants associate regulatory status with the organisation rather than the professional they are dealing with

They must be audited by someone, mustn't they? [Experienced, Female, London]

There will be some sort of governing body and they have some sort of process where they get inspected I imagine, certainly, if they don't conduct themselves properly they could be struck off...from whatever their institute is. [Experienced, Female, London]

...if someone is selling you legal advice it's just a massive jump in my mind that someone who knows what they can and can't [legally] do is choosing to be illegal and present themselves in a way that gets them in to trouble...and even if you did do it I don't see how long you can keep it going. [Intender, Male, London].

Understanding of regulation

After prompting, participants were surprised and concerned by the fact that some providers are unregulated

- When experienced participants were asked whether their own provider was regulated or unregulated, most felt certain that their provider must be regulated, although they did not say why they thought this was the case.

That surprises me. In my naïveté I assumed they have to be regulated to be able to provide advice.” [Experienced, Male, London]

How do you know if they’re regulated or not? ... Is there a database somewhere on the internet? I hope so”. [Experienced, Female, London]

Every single company involved in the process of a legal matter should all be regulated [Intender, Male, London]

- When asked which of the prompted list of providers and professionals might not be regulated, participants often said they had assumed that all would be regulated

That’s very worrying...there’s no redress...what kinds of advice am I getting in the first place? [Experienced, Male, London]

Understanding of complaints

Except in a few cases, participants had not previously considered what would happen if something were to go wrong with their legal service. Most found it difficult to envisage a scenario of something going wrong

- In particular, the idea of receiving poor advice or having a poor decision made on their behalf was an unfamiliar one.
- None were aware of a complaints procedure unique to the legal services industry. For this reason, when asked what they would do if something were to go wrong, responses followed the expected pattern for any consumer complaint.

"I would go on the internet and have a look, go to my MP...or even speak to my Council."

[Current, Female, London]

I'd probably go to the Citizens Advice Bureau [Experienced, Female, London].

- There was no knowledge of the redress available to those making a complaint about a legal service. Responses were based on generalised assumptions, and expectations were generally low.
- There were many examples of participants accepting poor service without complaint:
 - Solicitor who was un-contactable for a year in a probate case
 - Solicitor who was two weeks late in attending a dying parent to amend a will, then charged a very high fee and provided a handwritten will, which contained ambiguities
 - Will-writer who accepted a fee after the initial consultation, and still has not contacted consumer one year later