



Ministry of
JUSTICE

Baseline survey to assess the impact of legal services reform

**Steven Finch, Chris Ferguson, Nicholas Gilby
and Natalie Low**

Ministry of Justice Research Series 3/10
March 2010

Baseline survey to assess the impact of legal services reform

Steven Finch, Chris Ferguson, Nicholas Gilby and Natalie Low

**This information is also available on the Ministry of Justice website:
www.justice.gov.uk/publications/research.htm**

Constitution and Access to Justice - Analytical Services supports effective policy development and delivery within the Ministry of Justice by producing high-quality social research, economic advice and statistics to influence decision-making and encourage informed debate.

Disclaimer

The views expressed are those of the authors and are not necessarily shared by the Ministry of Justice (nor do they represent Government policy).

© Crown Copyright 2010.

Extracts from this document may be reproduced for non-commercial purposes on condition that the source is acknowledged.

First Published 2010

ISBN: 978-1-84099-352-3

Contents

List of tables

List of figures

Summary	i
1 Introduction	1
1.1 The purpose of this report	1
1.2 The policy context	1
1.3 The aims of the study	2
1.4 Outline of the study and methods	3
1.5 Conventions used in this report	4
2 The legal services market for private individuals in England and Wales	5
2.1 What were the characteristics of users of legal services?	5
2.2 What types of legal service were used?	6
2.3 How were legal services paid for?	7
3 Consumer choice	9
3.1 What types of provider were used?	9
3.2 What types of service were provided?	10
3.3 How did users first hear about their provider?	12
3.4 How much choice did users feel they had?	13
4 Standards of service for consumers	15
4.1 What initial information were users given?	15
4.2 Who handled the matter at the provider?	16
4.3 What communication was there while the matter was progressing?	17
4.4 How long did it take to complete the matter?	18
4.5 How did users rate the service they received?	18
4.6 How satisfied were users with the outcome?	20
4.7 How satisfied were users with the time taken and costs?	20
4.8 What non-legal services were obtained from the same providers?	21
4.9 What problems and complaints arose?	22
5 Consumer knowledge and confidence	24
5.1 What were users' general views of legal service providers?	24
5.2 What did users know about how to complain?	25
6 Conclusions	26
References	27
Appendix 1: Demographic profile of weighted sample compared with general population	28
Appendix 2: Selected tables with breakdowns by age	30
Appendix 3: Selected tables with breakdowns by most recent matter type	31
Appendix 4: Abbreviations and definitions	36

List of Tables

Table 2.1	Use of legal services for personal matters in the last three years	7
Table 2.2	How legal services were paid for	8
Table 3.1	Types of legal service providers used	10
Table 3.2	Tasks that provider delivered	11
Table 3.3	How users first heard about main provider	12
Table 4.1	Fees quoted	16
Table 4.2	Who user is told will handle their matter	17
Table 4.3	Satisfaction with time taken and costs	21
Table 4.4	Awareness and use of non-legal services from legal service providers	22
Table 4.5	Problems or issues that users were unhappy about	23
Table 4.6	Users' responses to having problems with their legal services	23
Table 5.1	Where users would first complain about a problem with a legal service	25
Table A1.1	Socio-demographic profile of legal service users compared with the total population of England and Wales	28
Table A2.1	Use of legal services for personal matters in the last three years, by age group	30
Table A2.2	How users first heard about main provider, by age group	30
Table A3.1	How legal services were paid for, by most recent matter type	31
Table A3.2	Types of legal service providers used, by most recent matter type	32
Table A3.3	Tasks that provider delivered, by most recent matter type	33
Table A3.4	How users first heard about main provider, by most recent matter type	34
Table A3.5	Fees quoted, by most recent matter type	34
Table A3.6	Who user was told would handle matter, by most recent matter type	35
Table A3.7	How long legal matter took to be completed, by most recent matter type	35

List of Figures

Figure 3.1	Users' views on how much choice of providers they had	13
Figure 3.2	Users' views on how easy or difficult it was to choose a provider	14
Figure 4.1	What types of information were given at the start of the matter	15
Figure 4.2	Time taken to complete most recent legal matter	18
Figure 4.3	Proportion of users agreeing with statements about their main contact	19
Figure 4.4	Satisfaction with outcome of matter	20
Figure 5.1	Views about legal service providers	24

Summary

Context

The aim of the survey was to provide robust, nationally representative data about consumers' experiences of using legal services¹ for personal matters in England and Wales in the period before the full implementation of the 2007 Legal Services Act (LSA). The survey contained baseline measures of consumer confidence in legal services, the standards of service they received, their experience of any problems and their knowledge of how to complain. It also provides data to profile the characteristics of users, their legal problems, the types of providers they used and standards of service they received. All of these measures can be repeated in future surveys in order to help gauge the impact of legal service reforms.

The LSA enacted measures that seek to put consumer interest at the heart of a new regulatory framework, including a new independent oversight regulator, the Legal Services Board, and a new complaint-handling body, the Office for Legal Complaints. The Act also will allow Alternative Business Structures whereby lawyers and non-lawyers can work together to a greater extent than before, with non-lawyers potentially involved in management of businesses to a greater extent.

Approach

The research was carried out for the Ministry of Justice by the National Centre for Social Research (NatCen). Respondents were identified through a question placed on eight successive waves of the Office for National Statistics (ONS) Omnibus Survey. The Omnibus Survey is a representative random probability survey of adults aged 16+ in Great Britain. Those respondents who had used legal services in the last three years and were willing to be re-contacted had their contact details passed to NatCen and were contacted for a telephone interview between March and July 2009. A total of 939 interviews were achieved in the follow-up, which represented a response rate of 76% of those who were eligible. The achieved sample was weighted to match the profile of legal service users in the ONS Omnibus, to minimise non-response bias among certain groups.

Results and implications

Thirty-four per cent of people in England and Wales aged 16+ were found to have used legal services in the last three years. Legal service users were generally content with their legal service providers and the services they provided. For example, 91% of users felt that they received a good service, 92% felt that their provider acted in their best interests and 92% were satisfied with the outcome of their matter. These positive findings are consistent with previous research among clients of solicitors' firms (Craig *et al.*, 2001).

¹ This includes those using services funded by legal aid or not-for-profit services.

Users considered that standards of service were generally good, although there was some scope for improvement. About a quarter of users felt that their legal work took ‘too long’ and the same proportion felt that it was ‘too expensive’. Thirteen per cent of users said that their provider did not provide ‘good value for money’. Users’ answers to questions about the information given at the outset of their matters show that this was often not provided. Sixty-eight per cent of users said that they were ‘given an estimate of how long dealing with the matter might be expected to take’ and 58% said that they were ‘given information about how often or when’ they ‘would be kept updated about progress on the matter’.

Ten per cent of users experienced a problem or issue with their legal service that they were unhappy about but this was only translated into a formal complaint in 2% of cases. Many users were unsure how to go about making a complaint, beyond contacting their provider. Indeed, most felt that they lacked knowledge in this area and 83% agreed with the statement ‘most people wouldn’t know how to tell a good provider of legal services from a bad one’.

The research shows that users of legal services tended to live in less deprived areas than the general population and were more concentrated in the late 20s, 30s and 40s age groups. Four out of five users paid for their legal service out of their own money.

The questionnaire asked respondents which types of legal services they had used in the last three years. The most commonly used types of legal service in the last three years were:

- the commoditised² services of conveyancing (mentioned by 50% of users) and will writing (27%);
- probate (17%);
- family matters (15%); and
- accident or injury claims (11%).

Authorised providers³ worked on 95% of matters, with 94% of matters involving solicitors and 3% of matters involving barristers (more than one type of authorised provider will work on some matters; for example, most matters involving a barrister will also involve a solicitor). Eighty-one per cent of users said that the main person handling their matter was a solicitor or trainee solicitor (note some may have not understood the role of the person dealing with their matter, and 12% said that they did not know the role of the person concerned). Approximately 78% of matters involved a reserved service⁴ while 91% involved

2 By “commoditised services” we mean legal services that are more easily “packaged” for sale. For the purposes of this study they were defined as conveyancing and will making.

3 For the purposes of the survey an “authorised provider” is a provider authorised under part 4 of the Legal Services Act. These are legal-service providers that are authorised to provide reserved legal activities.

4 A “reserved service” is a service that requires any of the following: rights of audience (i.e. to appear before and address a court); conducting litigation; reserved instruments activities (e.g. making contracts for the sale of land, lodging a land registration document); probate; notarial activities and the administration of oaths. It should be noted that this is an approximate categorisation, since more details would need to be known than it was feasible to collect in a short interview to verify whether or not all services met the reserved criteria.

a non-reserved service. Overall, approximately 74% of matters involved both an authorised provider and a reserved service.

While users generally said that they were happy with the choice of providers available to them, the way in which they found their providers suggested that they did not consider a wide range of options. Three-quarters identified their providers in one of three ways: recommendation by family or friends (29%), past experience (23%) and referrals (23%). Only 5% of users heard about their provider through advertising and only 5% identified them by searching for information. While this picture suggests that there is scope for further competition in the legal services market, the lack of people who shopped around also suggests the possibility that new entrants to the market could find it challenging to establish a foothold. However, what will happen based on this survey evidence cannot be reliably predicted and new entrants may have other advantages that can help them become established.

Introduction

1.1 The purpose of this report

The research was carried out for the Ministry of Justice (MoJ) by the National Centre for Social Research (NatCen). It reports the findings of a baseline survey (conducted in 2009) to provide robust, nationally representative data about consumers' experiences of using legal services for personal matters. The survey covered the period before the full implementation of the reforms of the 2007 Legal Services Act (LSA). The MoJ plans further surveys in the future to provide an updated picture under the changed regulatory arrangements following implementation of the LSA. A comparison of findings across the surveys will help gauge the impact of legal service reform on users of legal services.

1.2 The policy context

In 2007 the Legal Services Act (LSA) was passed by Parliament, to be fully implemented over the coming two to four years. In 2001 the Office of Fair Trading published a report recommending that the rules governing the legal professions should be fully subject to competition law and that unjustified restrictions on competition be removed (Office of Fair Trading, 2001). Following this, the Government published a report into competition and regulation in the legal services market (Department for Constitutional Affairs, 2003) and appointed Sir David Clementi to conduct an independent review of regulation (Clementi, 2004). The LSA primarily enacts the recommendations made in his review. The Act sought to reform the way that legal services in England and Wales are regulated and to put consumer interest at the heart of the regulatory framework.

The Act will have three main effects on the provision of legal services.

- **The way that legal service providers are regulated will change.** Prior to the Act, bodies representing the professions, such as the Law Society and Bar Council, carried out regulation. The Act now requires these bodies to split their regulatory and representative functions. Many have already set up independent regulators to oversee the conduct of their members. It also establishes a new independent oversight regulator, the Legal Services Board (LSB), to oversee approved regulators who will be responsible for direct regulation of providers of legal services.
- **The procedures for complaining about a legal service will change.** The Act establishes a new single complaint-handling body, the Office for Legal Complaints (OLC). They will administer an Ombudsman scheme⁵ to handle all service complaints about providers of legal services (once any in-house procedures of the provider have been exhausted). This replaces the current system where the professional bodies handle these complaints. Professional conduct matters will continue to be dealt with by the approved regulators.

⁵ An Ombudsman is an independent person who acts as an intermediary between the complainant and the organisation against whom a complaint is made.

- **Alternative types of service provider will be allowed, to increase the potential for competition.** Alternative Business Structures (ABSs) will be allowed. These could involve lawyers and non-lawyers working together, and non-lawyers being involved in management and ownership of firms providing legal services. It is hoped that this will provide more efficient and consumer-friendly ways of delivering legal services. An example of how ABSs might work is “one-stop shops” where a company can provide all relevant services for property sale or purchase, combining estate agency, insurance, legal, financial and building services. Limited forms of ABS known as Legal Disciplinary Practices (LDPs), which can be owned and managed by different types of lawyer and up to 25% non-lawyers, have been permitted since March 2009. It is anticipated that the full provisions relating to ABSs will apply from 2011.

The LSA received Royal Assent on 30 October 2007. Changes that followed the Act included the following.

- The LSB was formally constituted on 1 January 2009 and should become formally operational in early 2010.
- The OLC was formally constituted on 1 July 2009 and should become fully operational in late 2010.
- The Office of the Legal Services Complaints Commissioner will close in March 2010.
- The Office of Legal Services Ombudsman will close after November 2010.

1.3 The aims of the study

The study’s overall purpose was to take a baseline measurement of consumers’ experiences of using legal services in the period prior to the implementation of the LSA, against which the impact of the Act can subsequently be evaluated. Potential impacts of the Act to monitor through this research include whether:

- in the future consumers use traditional law firms or new types of provider like ABSs;
- there is more competition and choice in the arena of legal services and whether people find it easier or more difficult to access them;
- there is any effect on service standards for users (for example, because of increased competition);
- users’ confidence, knowledge and experiences of the complaints system improves; and
- users’ confidence in and knowledge of the legal sector as a whole improves.

It was thought unlikely that many users of legal services would know about the LSA or the changes it would bring to the regulation process or complaints procedures. For this reason, the survey focused on:

- profiles of the characteristics of users of legal services and the types of providers and services they used.;
- how users chose their provider;
- the standards of service they received and their experience of making complaints; and
- their confidence in legal service providers and knowledge of the complaints system.

The structure of the report reflects these four broad themes (in Chapters 2 to 5).

The timing of the baseline survey fieldwork (between March and July 2009) was after the start of implementation of the changes envisaged by the LSA. However, the authors do not believe that this had a substantial impact on the findings, for two reasons. First, many of the changes, such as the changes to the oversight of the legal services sector, were not fully operational at the time of the research and were not visible to users of legal services. Second, most users completed their most recent legal matter prior to the changes being made (of the 892 cases where it was possible to establish when users had completed using legal services, 809 (91%) completed their usage before 31 March 2009).

1.4 Outline of the study and methods

The approach for this baseline study can be summarised as follows.

- Respondents were identified through a question placed on the Office for National Statistics (ONS) Omnibus Survey waves from September 2008 to March 2009.
- All respondents answered, in the ONS Omnibus, that they:
 - had used legal services in the last three years; and
 - were willing to be re-contacted by an organisation carrying out research on behalf of the MoJ.
- Respondent contact details, including full name, address and one contact telephone number were passed to NatCen by the MoJ.
- Advance letters were sent to all respondents roughly one week before interviewing. The letters introduced the study, explained the survey procedures, and gave assurances about confidentiality.
- Interviews were carried out between March 2009 and July 2009. Interviews were carried out over the telephone by interviewers in the NatCen Telephone Unit, and were expected to last around 25 minutes.
- All respondents for whom full, valid names and phone numbers were provided were included in the sample.
- The questionnaire was developed and piloted by NatCen in a development study in 2008 (Low and Hewton, 2008).
- Of 1,570 cases issued for the survey, 1,235 were found to be eligible and contactable for interview. Of these, 939 interviews were achieved, which represented a response rate of 76%.
- The achieved sample was weighted⁶ to match the profile of legal service users in the last three years in England and Wales in the ONS Omnibus.
- NatCen conducted the editing and coding of the data, analysis of the findings and drafting of the report.

⁶ Weighting was used to correct for differences between the demographic profile of the achieved sample and the demographic profile of users of legal services in England and Wales.

In parts of this report, findings are presented for sub-groups of users of legal services according to their age or matter type. Where such findings are reported, differences between sub-groups have been tested for statistical significance and found to be significant. The ability to detect significance differences depends on the number of respondents within the sub-groups compared.

Full details of the methodology are presented in a separate technical report that is available on request from the MoJ. The following points should be borne in mind in interpreting the results from this study.

- The study gives insight only from the user perspective.
- The study, when combined with results from future studies, can measure change (or lack of change) in user experiences, but it will not always be possible to attribute this directly to the LSA.
- Assuming that any future study also interviews around 1,000 users of legal services, using the same methodology, a difference in the results of at least 3%–7% will be necessary to detect significant change between the studies.

1.5 Conventions used in this report

All figures in the report show weighted percentages. Both weighted and unweighted base sizes are shown at the foot of each figure, together with a description of the base (that is, the group of respondents answering any particular question). The unweighted base is the number of people who answered the question and so is an indicator of the robustness of the sample. The weighted base is the same value after adjustments have been made for differences in characteristics between respondents and the eligible population for the survey.

Percentages are rounded to the nearest whole number. Percentages in tables add up to 100% (or one or two percentage points more or less, due to rounding) except where the question allowed multiple answers, in which case this is indicated in a note below the figure.

Percentages of less than 0.5% are shown as ‘*’ and those with zero values are shown as ‘-’.

No percentages are shown where the base size is below 30.

Where no tables are shown and base sizes are low, the unweighted base is given in the text (in brackets). Where the total number of respondents answering any particular question (the base size) is less than 100, the unweighted base size is given to alert the reader that the results to the question should be treated with more caution.

Appendix 4 explains the main abbreviations and terms used in this report.

2 The legal services market for private individuals in England and Wales

This chapter describes the characteristics of people who used legal services for private matters in England and Wales. It details what they used legal services for and how they paid for them.

2.1 What were the characteristics of users of legal services?

Thirty-four per cent of people in England and Wales aged 16+ were found to have used legal services for personal matters in the last three years. The sample in this survey was designed to be representative of these users, after appropriate weighting had been applied to adjust for differences in characteristics between respondents and the eligible population for the survey. Distinctive characteristics of this group can be highlighted by comparing it with the wider population of all adults in England and Wales, as reported in National Statistics and other social surveys (Table A1.1 in Appendix 1). These comparisons show a number of statistically significant differences. Compared with the general population, legal service users:

- had a comparable gender profile (49% of the population and legal service users were male);
- were more likely to be aged 25 to 44 but less likely to be aged under 25 or 75 or over;
- were more likely to be White (93% compared with 90%) and less likely to be Asian (2% compared with 5%);
- were less likely to be single (16% compared with 21%) and more likely to be divorced, widowed or separated (22% compared with 15%);
- were less likely to have a long-standing physical or mental health problem (16% compared with 30%)⁷;
- were less likely to live in deprived areas⁸; and
- were more likely to live in a rural area (25% compared with 20%).

The overall picture is that legal services users were less disadvantaged than the general population and were more concentrated in the late-20s, 30s and early-40s age groups.

More than three-quarters of users (77%) used legal services for at least one other matter in addition to the one covered in the survey in the last three years. Users typically had experience of between one and three other matters (20% said just one other matter and 31% said two or three other matters). However, a quarter of users had experience of four or more other matters, including 4% who had experience of more than ten.

7 The comparison figure is drawn from the Family Resources Survey (FRS). Please note it is unclear whether respondents with a mental health condition are included in the FRS long-standing illness variable.

8 These figures are based on England only, as the Index of Multiple Deprivation is an England-only measure..

2.2 What types of legal service were used?

The survey provides a profile of the types of legal services that were used for personal matters in England and Wales (Table 2.1 – first column of data). The two most common categories of matters used in the last three years were:

- conveyancing (mentioned by 50% of users); and
- will writing (27%).

Two-thirds of users (67%) had used at least one of these commoditised services.

The next most common categories were:

- probate (described in the interview as ‘dealing with someone’s financial affairs after their death’) (17%);
- family matters, including divorce, matrimonial matters or matters related to children (15%); and
- accident or injury claims including personal injury claims (11%).

The less common matter types were mentioned by fewer than 5% of users.

Two further matter types that were not listed in the questionnaire but were classified based on users’ answers were power of attorney (mentioned by 2% of users) and neighbour disputes (mentioned by 0.5% of users). (These have been included in the ‘other answers’ category in Table 2.1; they would merit separate listing in future surveys.)

As may be expected, the types of legal service that people used varied according to age (Table A2.1). Conveyancing was much more common among users aged 16–34 (60%) than among those aged 55 or over (38%). Will writing and probate were much more common among users of legal services who were aged 55 and over (48% and 30% respectively) than among younger age groups. Family matters were most common among users who were aged 35–54 (23%) and least common among people aged 55 and over.

The second column in Table 2.1 shows the profile of the single legal matters from among those that had been used in the last three years that were the focus of the interviews. The single matter covered was the most recently finished matter or, if no matter from the last three years was yet finished, the matter that was closest to being finished. Among selected matters, 83% were finished and 17% were unfinished at the time of the interview.

It is important to note that more than half of the findings in this report relate to two matter types – conveyancing and will writing – and so these have a strong influence on the findings for legal services as a whole. Some significant differences in the findings for different matter types are presented in the main text of this report. Appendix 3 provides data for seven questions analysed by the above five most common matter types plus a sixth category of miscellaneous, less common matter types.

Table 2.1 Use of legal services for personal matters in the last three years

	Used in the last three years %	The most recent matter %
Conveyancing	50	38
Will writing	27	18
Probate	17	10
Family matters	15	9
Accident or injury claims	11	9
Housing, landlord or tenant problems	4	3
Employment disputes	3	2
Any offences or criminal charges	3	2
Immigration matters	2	2
Problems with consumer services or goods	1	1
Advice and appeals about benefits or tax credits	1	1
Debt or hire purchase problems	1	1
Other answers	4	6
Weighted base	939	939
Unweighted base	939	939

Base: Users of legal services.

Note: For services used in the last three years users could give multiple answers and so percentages add to more than 100%.

2.3 How were legal services paid for?

Seventy-eight per cent of users of legal services either paid for their most recent matter themselves or did so with help from their family or friends (Table 2.2). Other ways of paying were much less common: 6% had their service paid through legal aid, 5% through insurance, 5% through a free service and 4% through conditional or contingency fee arrangements (sometimes known as “no win, no fee” arrangements).

Some methods of payment were associated with particular types of matter. For example, legal aid was most commonly used with family matters, 31% of which were paid for in this way (Table A3.1). For accident and injury matters, 42% were paid through insurance and 39% were paid through conditional or contingency fees. These methods of payment were little used for other types of matter.

Among users who paid for their service through legal aid, 33% said that they had or would personally pay a contribution towards the cost (unweighted base = 31). Among users who paid for their service through a conditional or contingency fee arrangement, 6% said that they had or would personally pay a contribution towards the cost (unweighted base = 45). Due to low base sizes these results should be treated with more caution.

Table 2.2 *How legal services were paid for*

	Total %
With own (or family's or friend's) money	78
Through legal aid	6
Through insurance	5
A free service (excluding no win, no fee arrangements)	5
Through a no win, no fee arrangement (conditional/contingency fee)	4
By trade union	1
In another way	3
Weighted base	938
Unweighted base	938

Base: Users of legal services

Note: Users could give multiple answers and so percentages add to more than 100%

3 Consumer choice

This chapter describes the types of legal services that people used and what determined their choices.

3.1 What types of provider were used?

The survey obtained a profile of legal service users in terms of the providers that they used in their most recent matter. This provides a baseline that can be used in conjunction with future surveys to identify the impact of legal service reforms on the types of provider that are used, distinguishing between authorised and non-authorised providers. The survey's classification of providers has been achieved by prompting interviewees with a fairly extensive list of different provider types. It is hoped that the resulting classification is reasonably comprehensive, although there will inevitably be some imprecision due to users' imperfect knowledge of the service descriptions used in the interview.

Solicitors (mentioned by 94% of users) were by far the most commonly used provider for the most recent matters covered in the interview (Table 3.1). Barristers were used for 3% of matters. Less than 1% of users mentioned using independent notaries or licensed conveyancers while some other categories of authorised provider (trademark or patent attorney firm, independent legal executive and independent law costs draftsman) received no mentions. Overall, some form of authorised provider was used for 95% of matters.

Five per cent of users mentioned using a non-authorised provider. This is a proportion that the MoJ would expect to see increase following the reforms. Non-authorised providers such as will writers, the Citizens Advice Bureaux, financial advisers and a community legal advice centre were each mentioned by about 1% of users. Less than 1% of users reported obtaining legal services from trade unions, companies dealing with accident and injury claims and estate agents.

Table 3.1 Types of legal service providers used

	Total %
Authorised providers	95
Solicitors	94
Barristers	3
Notaries	*
Licensed conveyancers	*
Non-authorised providers	5
Will writer	1
Citizens Advice Bureau	1
Financial adviser	1
Community legal advice centre	1
Trade union	*
Company dealing with accident and injury claims	*
Estate agent	*
Provider type not established	2
Weighted base	939
Unweighted base	939

Base: Users of legal services

Note: Users could give multiple answers and so percentages add to more than 100%.

3.2 What types of service were provided?

A profile of users in terms of the types of legal service they used was obtained by reading users a list of commonly provided tasks and asking them to say which were provided in connection with their most recent matter. These have been classified into reserved and non-reserved services. It should be noted that this is an approximate categorisation since some of the legal services provided involve reserved and non-reserved services and the difference may not be obvious to the consumer. More details would need to be known than it was feasible to collect in a short interview to verify whether or not all services met the reserved criteria. Despite this limitation, it was felt that the categorisation would provide a useful approximation of the incidence of reserved services and so the question was included in the survey and is discussed in this report. This picture of the approximate usage of reserved services provides a baseline against which changes in the use of legal services following the reforms can be measured.

The three types of service that were most commonly provided were (Table 3.2):

- providing legal advice (82% of users said that this applied to them);
- drawing up legal documents (73%); and
- negotiating and dealing with others on the user's behalf (57%).

The three next most common types of service were mediation or dispute resolution (mentioned by 13% of users); representing the user in court (9%); and dealing with criminal and civil proceedings (7%).

Overall, 78% of matters appeared to involve a reserved service. While 91% of matters involved a non-reserved service, there are only 22% that solely involved non-reserved services.

Taking the classification of providers and services together, 74% of matters were found to involve an authorised provider and a reserved service while 21% involved an authorised provider but no reserved service, 4% involved a reserved service but no authorised provider and only 1% involved neither an authorised provider nor a reserved service.

As may be expected, conveyancing predominantly involved reserved services. In contrast, for probate (in particular the administration of estate), family and accident or injury matters, around a third of matters did not involve a reserved service (Table A3.3).

Table 3.2 Tasks that provider delivered

	Total %
Reserved services^a	
Drew up any legal documents such as wills or contracts	73
Represented or spoke on user’s behalf in court	9
Criminal or civil court proceedings	7
Represented or spoke on user’s behalf at a tribunal	1
Administered legal oaths	*
Any reserved service	78
Non-reserved services	
Gave user legal advice about their matter	82
Negotiated and dealt with other people/organisations on user’s behalf	57
Carried out mediation or resolved a dispute for user	13
Dealt with or engaged other non-legal services	2
Any non-reserved service	91
Other services (cannot determine whether reserved)	
Used the services of a solicitor on user’s behalf	2
Provided any other legal service	4
Weighted base	939
Unweighted base	938

Base: Users of legal services

Note: Users could give multiple answers and so percentages add to more than 100%

a It should be noted that this is an approximate categorisation, since more details would need to be known than it was feasible to collect in a short interview to verify whether or not all services met the reserved criteria.

3.3 How did users first hear about their provider?

The most common way of hearing about a provider was word of mouth or recommendation by family or friends, which was mentioned by 29% of users (Table 3.3). A further 3% heard about their provider through knowing someone who worked there. The second most common way of knowing a provider was because the user or their family had used it in the past (23%). Collectively, these personal contacts and recommendations explain how 56% of users heard about their provider. These findings are consistent with a Law Society study of clients of solicitors’ firms (Craig *et al.*, 2001), which found that the two main reasons for the choice of solicitors’ firm were recommendations and previous experience of it.

Another common way of hearing about a provider was through some form of referral. Overall, 23% of users found their provider in this way, including 4% who were referred by another legal organisation, 14% who were referred by non-legal organisations, such as estate agents or financial advisers, and 5% whose contact with the provider was arranged by another organisation such as an insurance firm or a trade union.

Eight per cent of users simply knew about their provider because they had seen a local office. A further 5% heard about it through some form of advertising. Only 1% heard about it through some form of direct marketing contact, such as a telephone call. Only a small proportion of users (just 5%) identified a provider by searching for information in publications such as Yellow Pages, or used the library or the internet.

Table 3.3 How users first heard about main provider

	Total %
Recommendation by family or friends	29
User or family member had used provider before	23
Referral by another organisation	23
Saw local offices	8
Responded to advertising or contact	5
Searched for information	5
Knew someone who worked there	3
Other answers	2
Don't know	*
<hr/>	
Weighted base	939
Unweighted base	939

Base: Users of legal services.

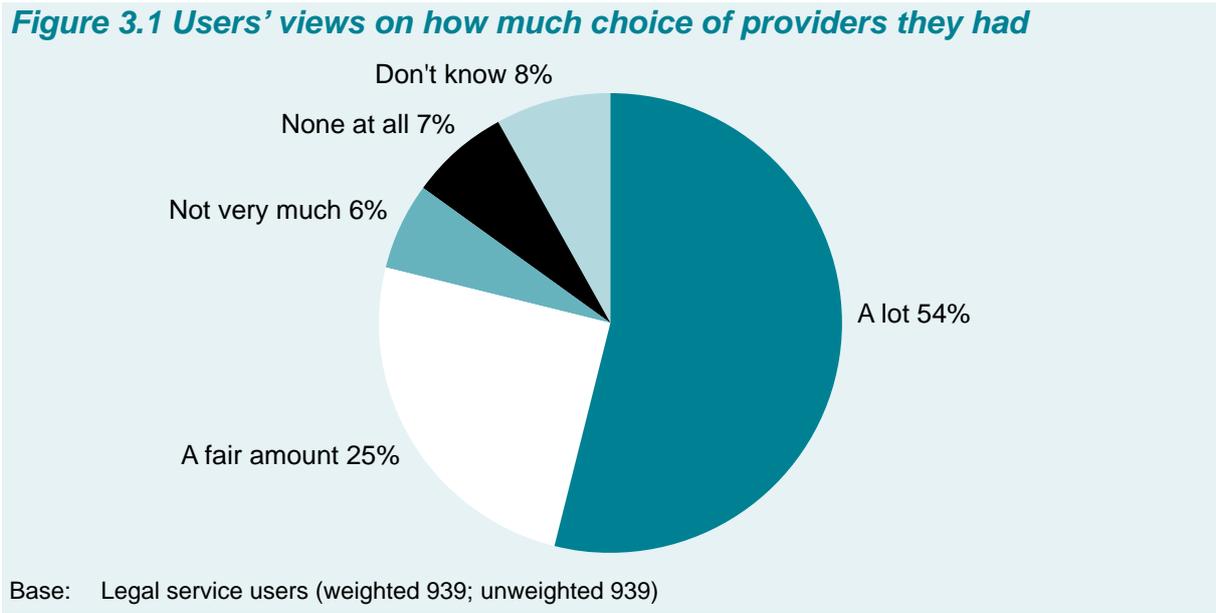
The way in which users heard about their provider was strongly associated with their age (Table A2.2). Whereas users who were aged 16–35 were most likely to hear about their provider through recommendations from family and friends or through a referral, those aged 55 and over were most likely to choose a provider because they or their family had used it in the past.

These findings raise an important question about how easy it will be for new entrants to the market to establish a foothold under the new regulatory framework, since so few users identify providers by actively searching for information.

3.4 How much choice did users feel they had?

The legal service reforms are designed to give consumers greater choice of legal services. It was therefore appropriate to measure users' baseline perceptions of how much choice they had in terms of choosing a provider of services for their matter so that any impact of the reforms on consumers' perceptions of choice could be measured. While it could be argued that the meaning of choice of provider is ambiguous (that is, does it mean the number of different providers or the number of different types of provider), it is expected that future users who note the introduction of different types of provider would be likely to reflect this in their answers.

The majority of legal service users felt that they had a good choice of providers (Figure 3.1). Only 6% said that they had not very much choice and 7% said that they had no choice at all, while 8% said that they did not know how much choice there was.

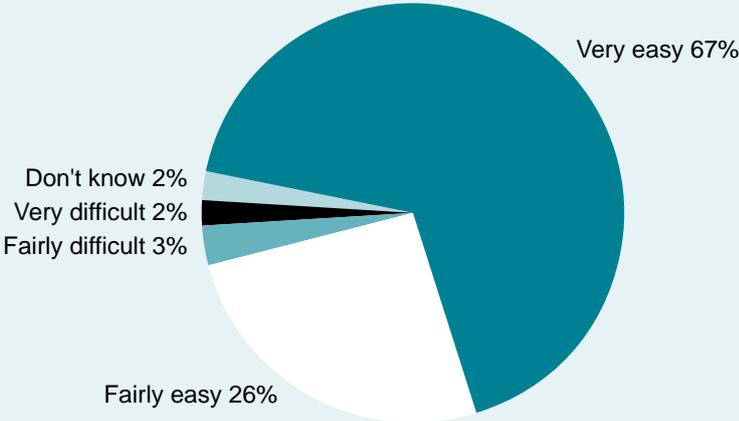


People who had a long-term illness or disability and people with incomes below £20,800 were more likely than other users to say that they had not very much or no choice of provider (23% compared with 10%).

There was no significant difference according to rurality in the proportions of users who felt that they had not very much or no choice of provider (12% for users in urban areas and 15% of those in rural areas said this). As some stakeholders have suggested that the Legal Services Act may reduce the availability of legal services in rural areas, it will be important to monitor this statistic in future surveys.

Nearly all users said that they found it very or fairly easy to choose a provider (Figure 3.2). Only 5% said that it was very or fairly difficult to choose. These views reflect the evidence in the previous section that most users choose providers that they are familiar with through past experience or the advice of friends or family.

Figure 3.2 Users' views on how easy or difficult it was to choose a provider



Base: Legal service users (weighted 939; unweighted 939).

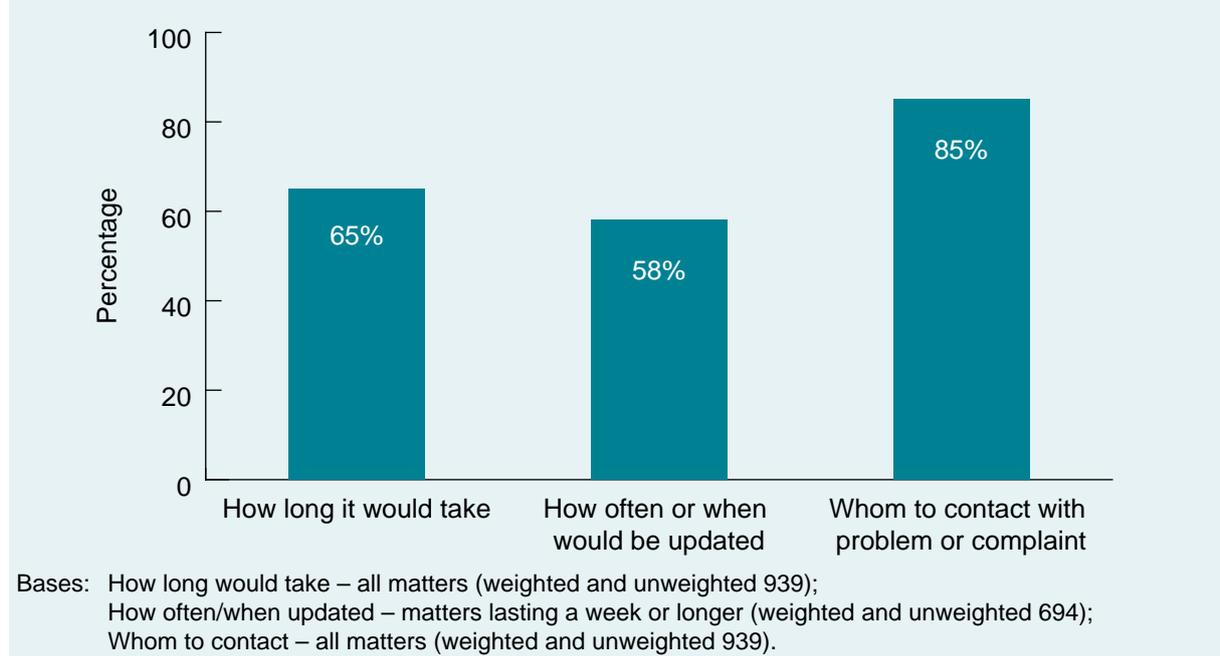
4 Standards of service for consumers

This chapter focuses on people's experiences as consumers of legal services and establishes a baseline against which changes in service levels following the reforms can be assessed.

4.1 What initial information were users given?

Most users reported being given adequate information by their providers with respect to how long the matter might last, how they would be kept updated about progress and whom to contact if they had a problem or complaint (Figure 4.1).

Figure 4.1 What types of information were given at the start of the matter



Estimates of the duration of a matter were provided most commonly for will writing (75%) and conveyancing (71%) and least commonly for accident or injury claims (50%). Users who had to pay for the service with their own money were more likely to obtain an estimate than other users (70% compared with 52%). Where an estimate was not provided, this was typically because the provider said that it was too difficult to predict the duration (13% of users) or simply because the user did not seek this information (11%).

Some form of fee was quoted for 88% of matters (Table 4.1). The main exception was accident or injury claims, which made up 9% of matters. In these claims, only 25% had fees quoted upfront while in 48% of cases no fees were quoted and in 28% of cases the person said that they were told that there would be no fee (Table A3.5).

Table 4.1 Fees quoted

	Total %
Fee quoted	88
fixed fee	51
estimate	27
hourly fee	9
No fee quoted	10
Told would not have to pay	3
<hr/>	
Weighted base	721
Unweighted base	728

Base: All users who pay any legal costs of matter

Reflecting on the information that was provided at the start of the matter, most users said that this was sufficient. Only 13% said that there was something else that they would have found it useful to know.

4.2 Who handled the matter at the provider?

In the ABSs facilitated by the LSA there may be greater use of non-lawyers in case handling, often working in conjunction with lawyers. For example, a company might provide all relevant services for property sale or purchase, combining estate agency, insurance, legal, financial and building services. The survey included a check on what type of person users understood to have been assigned to be the main person dealing with the matter (which they may or may not have understood correctly), so that changes in users' perceptions of this aspect of service can be tracked in future surveys.

The main person handling the matter was typically reported by users to be a solicitor or a trainee solicitor (81% of users said this; Table 4.2). For some other matters, users said that the main person was a barrister (1%) or someone else who was legally qualified (6%) while there were only very few cases (1%) where the users understood that the main person was not legally qualified. However, it was often not apparent to a user what the qualifications or job title of the person handling their matter were. Nine per cent said that they were given no information about the type of person handling their matter and a further 2% didn't know the job title or who the person was.

Ninety-two per cent of users said that they were given the name of a particular person who would mainly handle their case.

Table 4.2 Who user is told will handle their matter

	Total %
Solicitor or trainee solicitor	81
Barrister	1
Someone else who was legally qualified	6
Someone who was not legally qualified	1
Not given any information about type of person	9
Don't know person or job title	2
Don't know	1
<hr/>	
Weighted base	939
Unweighted base	939

Base: Users of legal services.

4.3 What communication was there while the matter was progressing?

Users were broadly happy with the level of communication they had with their providers while their matter was progressing (this question was restricted to users whose cases lasted a week or more). Eighty-five per cent said that their provider kept them very well or quite well up to date with progress, while 13% said that this was done not very well or not at all well (3% said that the question was not applicable to them). Among users who paid any legal costs, there was a similarly positive rating of how well they were kept up to date about the costs of their matter: 66% said very well or quite well, 11% said not very well or not at all well and 23% said that the question was not applicable.

Ninety-four per cent of users said that they were able to deal with their provider when they needed to. Users communicated with their providers in a number of different ways including the telephone (used by 85%), visits to the provider's office (59%), letters (46%) and email (28%). When asked how they would like to communicate with their provider, the same pattern of answers was given, with telephone again being most commonly mentioned (by 51%), followed by visits (41%), email (22%) and letters (20%).

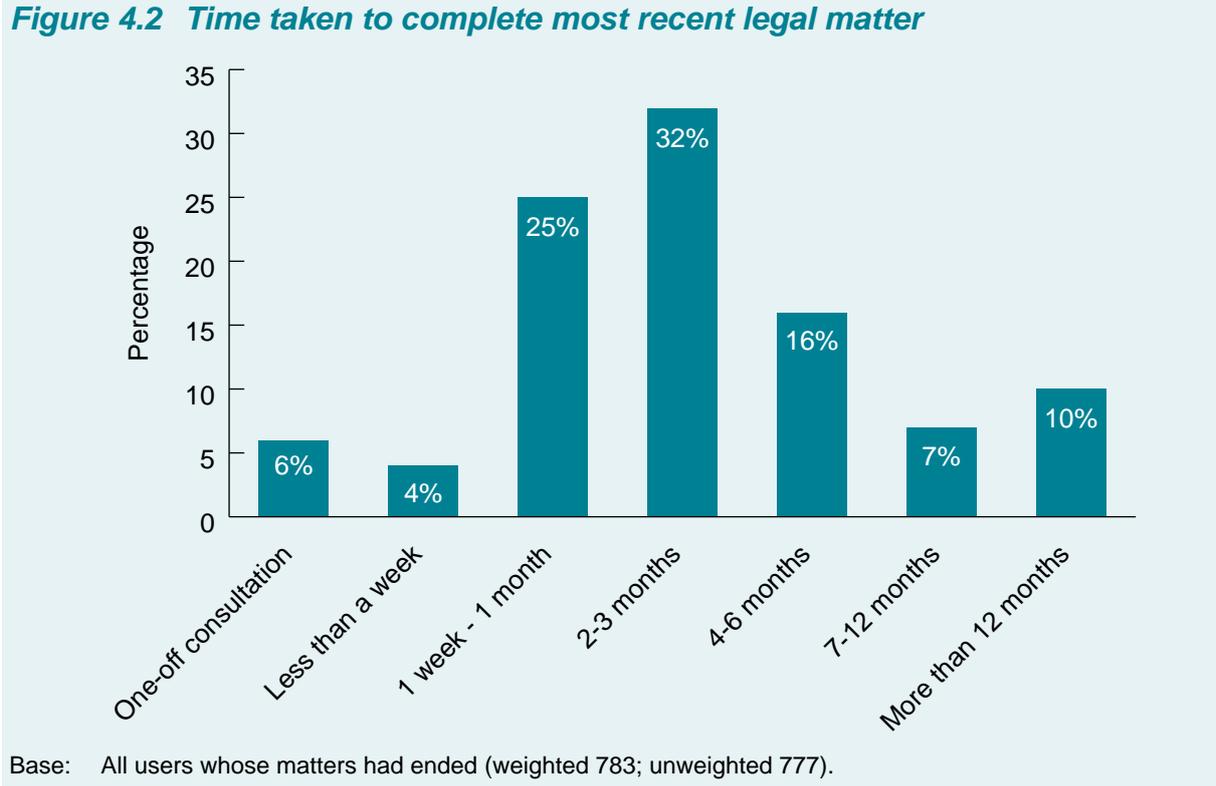
When users were asked to specify their **main** method of communication, telephone was again mentioned by most (59%), followed by visits (22%). This shows that personal contact was regarded as essential for progressing matters.

Among users who liked to communicate with their provider face to face, more than nine out of ten said that it was very or fairly easy for them to get to their provider's offices. This shows that most people had chosen providers that were conveniently situated.

4.4 How long did it take to complete the matter?

The time taken by matters varied considerably (Figure 4.2). About a third of users (35%) had matters that had lasted less than two months, including 6% of users for whom the matter was resolved in one consultation. A further third (32%) had matters that lasted two to three months. A final third (33%) had matters that lasted longer than three months, including 10% whose matters lasted more than a year.

Figure 4.2 Time taken to complete most recent legal matter



Duration was strongly related to the type of matter. Will-writing matters typically lasted less than two months, while conveyancing lasted between two and three months and probate, family and accident or injury matters often lasted more than a year (Table A3.7).

4.5 How did users rate the service they received?

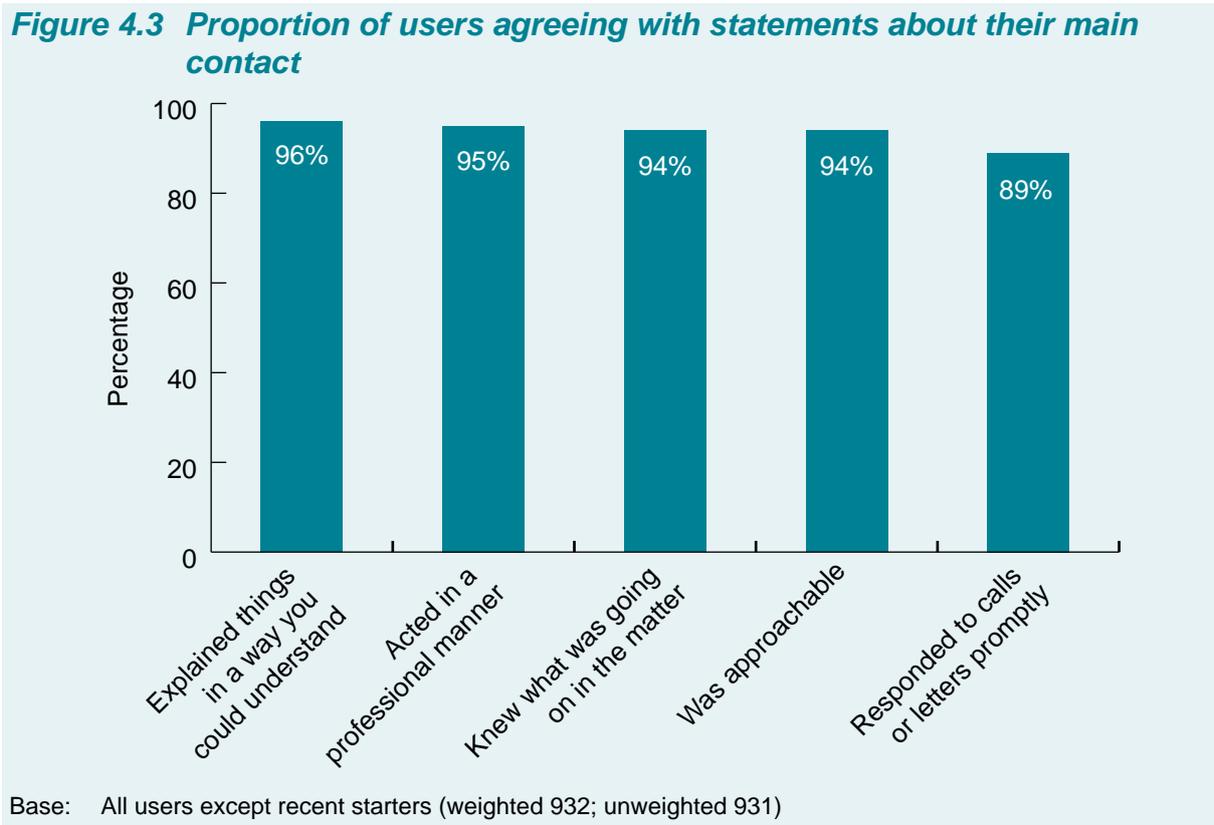
Users rated the quality of the service they received very highly indeed. When asked to comment on whether they were provided with a good service, 91% agreed that they were, with 84% agreeing a lot and 7% agreeing a little. Only 7% of users disagreed that they had been provided with a good service while 2% neither agreed nor disagreed. This finding is consistent with previous research among clients of solicitors which found that 83% rated their solicitor as very good or good overall (Craig *et al.*, 2001).

Users' ratings of their provider varied little according to their demographic characteristics. Users with higher incomes (£20,800 or more) were more likely to agree that they were given a good service than those on lower incomes (93% compared with 88%). However, there was

no difference in ratings according to sex, age, health status, type of occupation or whether living in an urban or rural area.

Users also strongly believed that their provider had acted in their best interests, with 92% agreeing with this statement (84% agreed a lot and 8% agreed a little).

When users were asked to rate their main contact at the provider for a series of service criteria, the answers given were similarly positive (Figure 4.3).

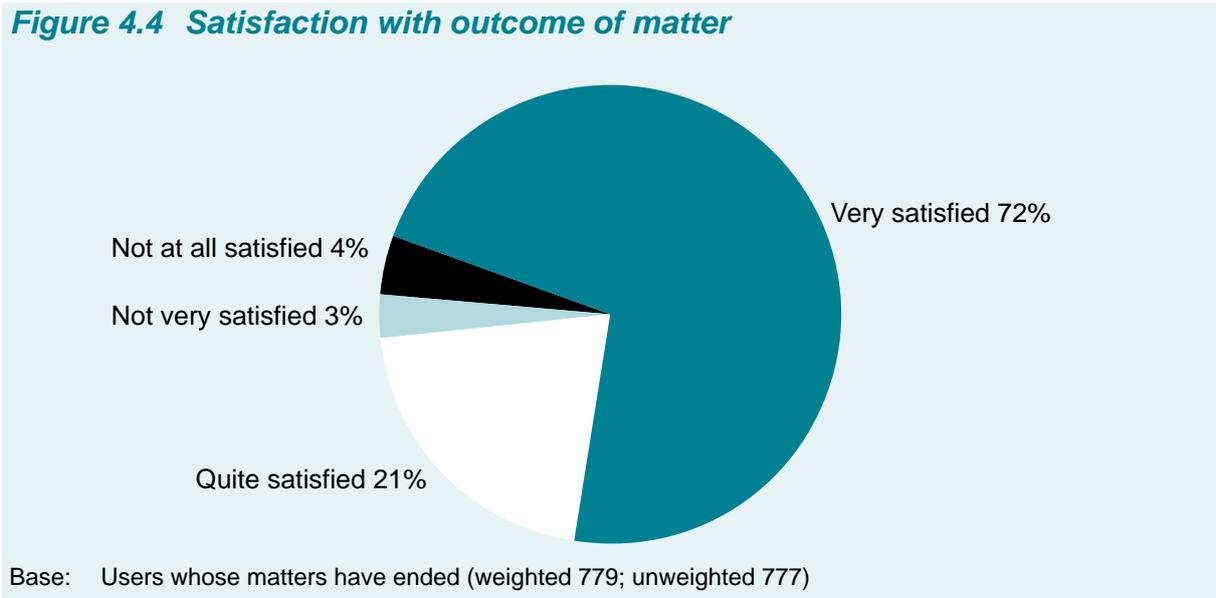


Another indication of satisfaction was the proportion of users who said that they would be willing to recommend their provider to a friend or colleague. Overall, 86% of users said that they would be likely to recommend their provider, including 63% who said that they would very likely do so.

Users who paid for their service generally felt that their provider gave good value for money (81% of users agreed with this statement while 13% disagreed and 6% did not give an opinion). Users of conveyancing and will writing were more likely to say this (83% and 90% respectively did) than users of probate (71%) or family matters (65%).

4.6 How satisfied were users with the outcome?

Users were satisfied, in general, with the outcome of their matters (Figure 4.4). Seventy-two per cent said that they were very satisfied and 21% that they were quite satisfied, while 3% said that they were not very satisfied and 4% that they were not at all satisfied. This finding is consistent with Craig *et al.* (2001) which found that over 80% of solicitors' clients were satisfied with the outcome of their matter.



Users of conveyancing and will-writing services had higher satisfaction levels (95% and 96% respectively) than users of family matters and accident or injury claims (86% and 78% respectively). These variations are likely to reflect greater risk of a disappointing outcome in the latter types of matter.

4.7 How satisfied were users with the time taken and costs?

Users were broadly satisfied with the time taken to complete their matter and its costs, as is shown by Table 4.3, which summarises the views of different sub-groups according to whether the time or costs were specified at the outset. The general picture is that about three-quarters of users felt that the time and costs were satisfactory.

Table 4.3 Satisfaction with time taken and costs

Group of users	Statistic	Weighted base	Unweighted base	Satisfactory outcomes	Unsatisfactory outcomes
Those whose matters had finished	Opinion of duration of matter	922	921	75% said about right	25% said too long
Those whose matters had finished who were given an estimate at the start	How duration compared with estimate	602	603	61% said about the same; 9% said quicker	30% said longer than estimate
Those whose matters had finished who were not given an estimate at the start	How duration compared with expectations	309	307	52% said about what expected; 12% said quicker	36% said longer than expected
Those who had paid the provider	Opinion of cost	601	604	75% said about right	25% said too expensive
Those whose matters had finished and who had paid and who were given an estimate at the start	How bill compared with estimate	495	497	79% said about the same; 5% said less	16% said more than estimate
Those whose matters had finished and who had paid and who were not given an estimate at the start	How bill compared with expectations	79	82	67% said about the same; 12% said less	21% said more than estimate

4.8 What non-legal services were obtained from the same providers?

The additional competition allowed by the legal service reforms is likely to facilitate greater links in the provision of legal and non-legal services, with more scope for providers to offer both types of service under the same roof.

About a third (34%) of users of legal services said that some form of non-legal service was available from their provider and 7% said that they had used any such service (Table 4.4). Twenty-nine per cent of users said that non-legal services to do with buying or selling property were available from their provider and 5% had used them, although this estimate may overstate the true figure since the word ‘conveyancing’ was inadvertently included in the category name. The next most commonly mentioned services were financial services, which 10% of users said were available from their main provider and 1% said they had used. Insurance services were mentioned as available by 7% of users and used by 1%.

Table 4.4 Awareness and use of non-legal services from legal service providers

	Aware of %	Have used %
Any non-legal services mentioned	34	7
Buying or selling property ^a	29	5
Financial services, including advice and selling of products	10	1
Insurance services	7	1
(Inappropriate) mention of some form of legal service	2	-
Other answer	1	1
No non-legal services	66	93
Don't know	*	*
Weighted base	939	939
Unweighted base	939	939

Base: Users of legal services .

Note: Users could give multiple answers and so percentages add to more than 100%.

a The category in the questionnaire was listed as 'Buying or selling property (conveyancing)' whereas the word 'conveyancing' should have been omitted as the question was intended to focus on the non-legal aspects of buying and selling property.

The minority of legal service users who had also used non-legal services from the same provider (unweighted base = 72) were asked how the standards of the services compared. Nearly all users said that the non-legal services were about the same (72%) or of a higher standard (23%) while only 5% said that they were of a lower standard. So there was no indication that users perceived these non-legal services to be of poorer quality. Due to low base sizes these results should be treated with more caution.

4.9 What problems and complaints arose?

The survey included some questions that provide a baseline for user experiences of problems and complaints before deregulation and the launch of the Office for Legal Complaints. Ten per cent of users whose matters had ended said that there was a problem or issue with their legal service that they were unhappy about. The rate of problems was higher for family matters (22%) than for conveyancing (9%) or will writing (5%).

The most common problems (unweighted base = 82) that people reported were delays in the matter, mistakes, not being kept informed about progress, excessive costs and poor standards of service (Table 4.5). The estimates of the prevalence of these different types of problems should be treated with caution due to the low base size. The implication for future surveys is that, whereas a survey of this size provides a robust measure of the incidence of problems and whether or not users took action to deal with them, an incidence of problems of about 10% is too small for the characteristics of those problems to be described with much precision.

Table 4.5 Problems or issues that users were unhappy about

	%
Delays/the amount of time the matter took	36
Mistakes	28
Not kept up to date/informed	27
Costs or bill too high	23
Standards/quality of service provided	21
Treatment by provider's staff	11
Other answers	13
Don't know	2
Weighted base	82
Unweighted base	82

Base: Users whose matter has ended and who had a problem or issue with their service that they were unhappy about

Note: Users could give multiple answers and so percentages add to more than 100%

The proportion of users who experienced a problem did not vary according to any of the following demographic characteristics: sex, age, health status, type of occupation and whether living in an urban or rural area.

Ten per cent of users experienced problems, 4% of users felt like making a complaint and 2% of users were clear about how to go about this and did in fact complain (Table 4.6). Complainants represented one in five of those who had a problem and about half of those who felt like making a complaint.

Table 4.6 Users' responses to having problems with their legal services^a

	%
Had any problems or issues that they were unhappy about	10
Felt like making a complaint to provider	4
Were clear about how they should go about making a complaint	2
Got advice about the problem or how to complain about it	1
Actually made a complaint	2
Weighted base	782
Unweighted base	779

Base: Users whose matter had ended

a The figures shown are from a sequence of questions that had the common base of 'all users whose matter has ended'.

Fourteen users made complaints about their matter and nine of these said that they were satisfied with the way their provider dealt with the complaint while four were dissatisfied and in one case the complaint was still being investigated.

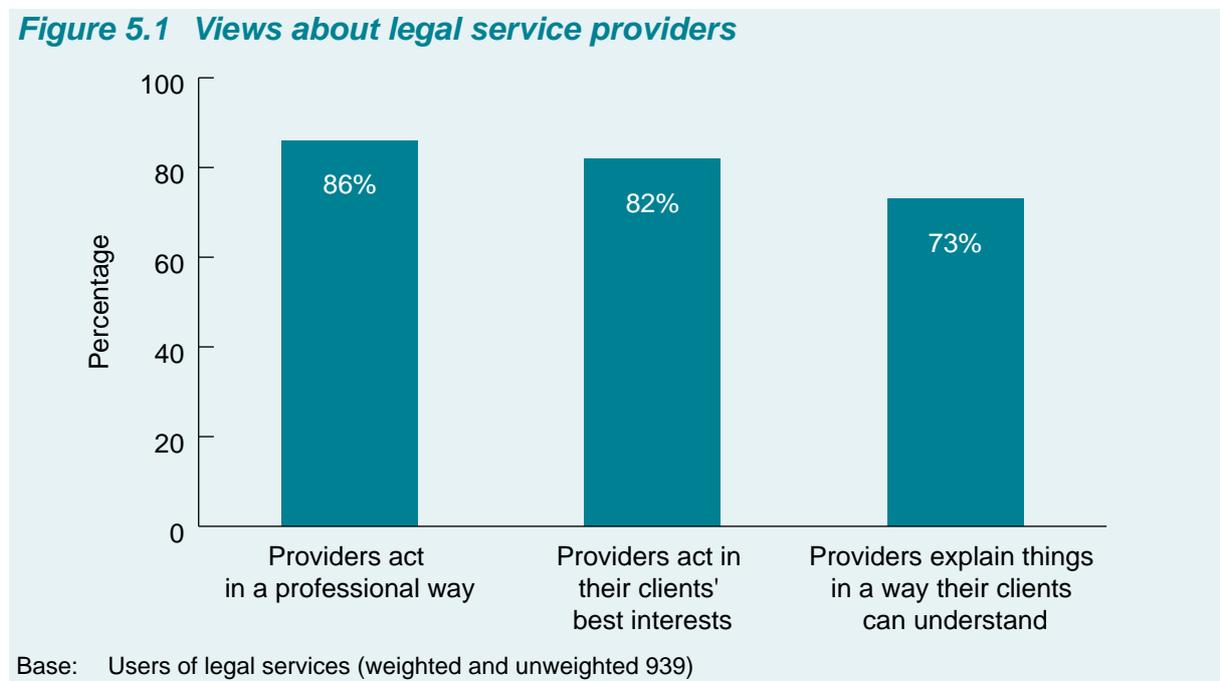
Five per cent of people who also obtained non-legal services from their legal service provider had a problem or issue that they were unhappy about. Given the low base size (unweighted = 61), the rate of dissatisfaction should be treated with caution.

5 Consumer knowledge and confidence

This chapter explores people's confidence in the legal sector and their knowledge about how to make complaints. The data will provide a baseline against which to measure the future impact on consumer knowledge and confidence of the changes in regulation and the operation of new types of provider.

5.1 What were users' general views of legal service providers?

In keeping with most users' good experiences of using legal services, they had positive views of how providers operate in general (Figure 5.1). Eighty-six per cent agreed with the statement that in general providers act in a professional manner and 82% agreed that they act in their clients' best interests. A slightly lower proportion of users (73%) agreed that providers explain things in a way that their clients can understand.



Despite these positive views, users were not confident that people had sufficient knowledge to make an informed choice of provider. Eighty-three per cent agreed with the statement that 'Most people wouldn't know how to tell a good provider of legal services from a bad one'. The issue of consumer confidence in identifying a good service was not explored further in the questionnaire.

5.2 What did users know about how to complain?

Many users lacked knowledge about how to complain about a legal service. Only 45% of those users who had not made a complaint said that they would know how to go about doing so. More than half of users who did know how to go about making a complaint said that they would complain to the firm itself, while a quarter would seek to complain to the Office of the Legal Services Complaints Commissioner (OLSCC) or Legal Ombudsmen and one in ten to a representative body such as the Law Society (Table 5.1).

Table 5.1 Where users would first complain about a problem with a legal service

	%
The firm itself	53
Legal Services Complaints Commissioner/Legal Ombudsman	24
Representative body (e.g. Law Society, Bar Council)	10
Advice Bureau	5
Legal Complaints Service/Bar Standards Board	2
The internet	1
Another solicitor/firm	1
Financial Services Authority	1
Government body (but don't know name)	*
Consumer body (e.g. Consumer Direct, Which)	*
Local Councillor or MP	*
Other answer	1
Don't know	1
Weighted	409
Unweighted	417

Base: Users who would know how to go about making a complaint.

Among the 55% of users who would not know how to go about making a complaint, just under half (45%) said that they would know where to go to get advice about how to go about doing this. These users most commonly mentioned advice centres such as the Citizens Advice Bureau (CAB), the internet and complaints-handling bodies as the places they would go to get further information.

6 Conclusions

This report has presented a baseline picture of consumers' experiences of using legal services for personal matters in England and Wales in the period before the full implementation of the 2007 Legal Services Act (LSA).

The findings show that legal service users were generally content with their legal service providers and the services they provided, which was consistent with the findings of previous research (Craig *et al.*, 2001). Users considered that standards of service were generally good, although some were dissatisfied with the time taken and costs. There was scope to improve the information users were provided with at the outset about how long the matter would take and how they would be updated about progress.

Ten per cent of users experienced a problem or issue with their legal service that they were unhappy about but this was only translated into a formal complaint in 2% of cases. Many users were unsure how to go about making a complaint, beyond contacting their provider. Indeed, most felt that they lacked knowledge in this area.

The most commonly used types of legal service in the last three years were the commoditised⁹ services of conveyancing (mentioned by 50% of users) and will writing (27%). Overall, 95% of matters involved authorised providers¹⁰ while approximately 78% involved a reserved service¹¹ and approximately 74% involved both an authorised provider and a reserved service. Eighty-one per cent of users said that the main person handling their matter was a solicitor or trainee solicitor.

While users generally said that they were happy with the choice of providers available to them, the way in which they found their providers suggested that they did not consider a wide range of options. Three-quarters identified their providers through recommendation by family or friends, past experience or referrals. Only 5% of users heard about their provider through advertising and only 5% identified it by searching for information. While this picture suggests that there is scope for further competition in the legal services market, the lack of people who shopped around also suggests the possibility that new entrants to the market could find it challenging to establish a foothold. However, what will happen based on this survey evidence cannot be reliably predicted and new entrants may have other advantages that can help them become established.

9 "Commoditised services" means legal services that are more easily "packaged" for sale. For the purposes of this study they were defined as conveyancing and will-making.

10 For the purposes of the survey an "authorised provider" is a provider authorised under part 4 of the Legal Services Act. These are legal service providers that are authorised to provide reserved legal activities.

11 A "reserved service" is a service which requires any of the following: rights of audience (i.e. to appear before and address a court); conducting litigation; reserved instruments activities (e.g. making contracts for the sale of land, lodging a land registration document); probate; notarial activities and the administration of oaths. It should be noted that this is an approximate categorisation, since more details would need to be known than it was feasible to collect in a short interview to verify whether or not all services met the reserved criteria.

References

Clementi, D. (2004) *Review of the Regulatory Framework for Legal Services in England and Wales – Final Report – Sir David Clementi – December 2004* – available at www.legal-services-review.org.uk (accessed 2 November 2009).

Craig R., Rigg M., Briscoe R. and Smith, P. (2001) *Client Views: Clients' experiences of using a solicitor for personal matters*. The Law Society.

Department for Constitutional Affairs (2003) *Government Conclusions: Competition and regulation in the legal services market*. A report following the consultation "In the public interest?" – available at <http://www.dca.gov.uk/consult/general/oftreptconc.htm> (accessed 3 November 2009).

Department for Environment, Food and Rural Affairs (DEFRA), *Rural and urban statistics in England: Guidance notes* [computer file] (2009) – available at <http://www.defra.gov.uk/evidence/statistics/rural/documents/rural-defn/rural-stats-guidance.pdf> (accessed 12 January 2010).

Department for Work and Pensions, Office for National Statistics, Social and Vital Statistics Division and National Centre for Social Research, Family Resources Survey, 2007–08 [computer file]. 1st Edition. Colchester, Essex: UK Data Archive [distributor], July 2009. SN: 6252.

Ferguson, C., Gilby, N. and Low, N. (2009) *Users of legal services technical report*. NatCen. Available from MoJ on request.

Low, N. and Hewton, J. (2008) *Development study for survey of legal service users*. Ministry of Justice.

Office for National Statistics, 2008 Mid-Year Population estimates (England and Wales) [computer file] (2009) ONS Population Estimates Unit, Centre for Demography.

Office for National Statistics, 2001 Census: Standard Area Statistics: KS01 (England and Wales) [computer file] (2005). ESRC/JISC Census Programme, Census Dissemination Unit, Mimas (University of Manchester).

Office of Fair Trading (2001) *Competition in Professions: A report by the Director General of Fair Trading*. OFT 328 – available at http://www.offt.gov.uk/shared_offt/reports/professional_bodies/oft328.pdf (accessed 3 November 2009).

Appendix 1: Demographic profile of weighted sample compared with general population

Table A1.1 Socio-demographic profile of legal service users compared with the total population of England and Wales

Sub-group	Legal service users ^a %	General population %	Source of general population data ^b
Gender			
Men	49	49	ONS population estimates for mid 2008
Women	51	51	(Office for National Statistics, 2009)
Age			
16 to 24	3	15	ONS population estimates for mid 2008
25 to 34	22	16	
35 to 44	22	18	
45 to 54	18	16	
55 to 64	16	15	
65 to 74	12	11	
75 or more	6	10	
Refused	1	-	
Ethnic group			
White	93	90	Family Resources Survey 2007/8
Asian or Asian British	2	5	(Department for Work and Pensions <i>et al.</i> , 2009)
Black or Black British	3	2	
Chinese	*	1	
Mixed heritage	1	1	
Other ethnic group	1	1	
Don't know	1	-	
Marital status			
Married	51	53	Family Resources Survey 2007/8
Living with partner	12	12	
Single	16	21	
Divorced	10	7	
Separated	4	2	
Widowed	8	6	
Health status			
Long-standing physical/ mental health condition	16	30	Family Resources Survey 2007/8 ^c (Department for Work and Pensions <i>et al.</i> , 2009)
No disability or illness	84	70	

Table A1.1 Socio-demographic profile of legal service users compared with the total population of England and Wales (continued)

Sub-group	Legal service users %	General population %	Source of general population data
Annual household income			
Household income up to £9,359	8	7	Family Resources Survey 2007/8
Household income £9,359 – £20,799	21	24	
Household income £20,800+	60	69	
Don't know/refused household income	11	-	
Quintile group of Index of Multiple Deprivation (IMD)^d score			
1st quintile (0.370 – 8.317) [least deprived]	24	6	ONS population estimates for mid 2008
2nd quintile (8.319 – 13.739)	19	19	(Office for National Statistics, 2009)
3rd quintile (13.740 – 21.2165)	22	27	
4th quintile (21.2168 – 34.419)	17	37	
5th quintile (34.422 – 85.463) [most deprived]	13	11	
Not classified	5	-	
Urban/rural			
Urban	75	80 ^e	2001 Census population estimates
Rural	25	20	(Office for National Statistics, 2005)

Base: Users of legal services (weighted and unweighted 939), general population (44,217,038)

- a This profile of legal service users in England and Wales was derived by taking an unweighted average of the percentage estimates from each of the eight waves of the ONS Omnibus Survey.
- b Census output and Family Resources Survey data are Crown copyright and are reproduced with the permission of the Controller of HMSO and the Queen's Printer for Scotland. The original data creators, depositors or copyright holders, the funders of the Data Collections (if different) and the UK Data Archive bear no responsibility for any analysis or interpretation in this report.
- c It is unclear as to whether respondents with a mental health condition are included in the Family Resources Survey long-standing illness variable.
- d The Index of Multiple Deprivation combines a number of indicators, chosen to cover a range of economic, social and housing issues, into a single deprivation score for each small area in England. Those addresses not classified are in Wales.
- e Please note that the urban/rural figures for the users of legal services are based on postcode analysis. Those for the general population are based on Local Authority boundaries. Department for Environment, Food and Rural Affairs guidance (DEFRA, 2009) suggests that urban/rural analysis based on Local Authority boundaries is less robust and thus the figures are not necessarily directly comparable.

Appendix 2: Selected tables with breakdowns by age

Table A2.1 Use of legal services for personal matters in the last three years, by age group

	16–34	35–54	55 and over	Total
	%			
Conveyancing	60	53	38	50
Will writing	9	19	48	27
Probate	5	12	30	17
Family matters	15	23	7	15
Accident or injury claims	11	13	8	11
Housing, landlord or tenant problems	5	5	3	4
Employment disputes	3	4	3	3
Any offences or criminal charges	5	4	1	3
Immigration matters	6	1	-	2
Problems with consumer services or goods	1	2	2	1
Advice and appeals about benefits or tax credits	2	1	1	1
Debt or hire purchase problems	1	1	*	1
Other answers	4	4	6	4
Weighted base	233	373	320	939
Unweighted base	151	395	383	939

Base: Users of legal services.

Notes: For services used in the last three years users could give multiple answers and so percentages add to more than 100%.

The breakdown by age excludes ten people whose age was not recorded.

Table A2.2 How users first heard about main provider, by age group

	16–34	35–54	55 and over	Total
	%			
Recommendation by family or friends	35	29	24	29
User or family member had used provider before	13	20	35	23
Referral by another organisation	30	26	14	23
Saw local offices	6	8	9	8
Responded to advertising or contact	5	5	7	5
Searched for information	5	8	4	5
Knew someone who worked there	4	2	4	3
Other answers	3	2	3	2
Don't know	-	1	0	*
Weighted base	233	373	320	939
Unweighted base	151	395	383	939

Base: Users of legal services.

Appendix 3: Selected tables with breakdowns by most recent matter type

Table A3.1 How legal services were paid for, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accident or injury	Other personal matter	Total
	%						
With own (or family's or friend's) money	99	93	97	67	6	49	78
Through legal aid	1	-	-	31	6	14	6
Through insurance	-	-	-	-	42	7	5
A free service (excluding no win, no fee arrangements)	1	4	3	8	6	17	5
Through a no win, no fee arrangement (conditional/contingency fee)	*	-	-	-	39	1	4
By trade union	-	2	-	-	6	2	1
In another way	1	2	-	2	4	10	3
Weighted base	353	169	94	84	83	155	938
Unweighted base	332	194	109	84	80	139	938

Base: Users of legal services

Note: Users could give multiple answers and so percentages add to more than 100%.

Table A3.2 Types of legal service providers used, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accident or injury	Other personal matter	Total
	%						
Solicitors	97	88	97	96	98	89	94
Barristers	-	-	1	6	5	10	3
Notaries	-	1	1	-	-	-	*
Licensed conveyancers	1	-	-	-	-	-	*
Authorised providers	97	89	98	98	98	90	95
Will writer	-	7	-	-	-	-	1
Citizens Advice Bureau	-	-	1	5	-	5	1
Financial adviser	1	2	1	1	-	1	1
Community legal advice centre	-	-	-	-	-	4	1
Trade union	-	-	-	-	1	2	*
Company dealing with accident and injury claims	*	-	-	-	-	-	*
Estate agent	*	-	-	-	-	-	*
Non-authorised providers	2	9	2	6	1	10	5
Other providers for which type could not be established	1	3	1	-	-	4	2
Weighted base	353	169	96	84	82	155	939
Unweighted base	332	194	110	84	80	139	939

Base: Users of legal services.

Note: Users could give multiple answers and so percentages add to more than 100%

Table A3.3 Tasks that provider delivered, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accid- ent or injury	Other personal matter	Total
%							
Reserved services							
Drew up any legal documents such as wills or contracts	88	96	62	54	49	43	73
Represented or spoke on user's behalf in court	-	-	4	37	22	18	9
Dealt with any criminal or civil court proceedings	-	-	2	28	19	14	7
Represented or spoke on user's behalf at a tribunal	-	-	-	-	-	5	1
Administer legal oaths	-	-	-	-	-	1	*
Any reserved service	88	96	64	69	62	57	78
Non-reserved services							
Gave user legal advice	78	76	72	94	93	92	82
Negotiated and dealt with others on user's behalf	79	1	70	52	86	51	57
Carried out mediation or resolved a dispute for user	-	-	8	33	45	30	13
Dealt with or engaged other non-legal services	3	-	-	2	-	*	2
Any non-reserved service	92	76	91	98	99	94	91
Other services (cannot determine whether reserved)							
Used the services of a solicitor on user's behalf	1	2	-	1	2	3	2
Any other legal service	3	4	9	4	1	4	4
Weighted base	353	169	95	84	83	155	939
Unweighted base	332	194	109	84	80	139	938

Base: Users of legal services

Note: Users could give multiple answers and so percentages add to more than 100%.

Table A3.4 How users first heard about main provider, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accident or injury	Other personal matter	Total
	%						
Recommendation by family or friends	31	22	24	41	27	29	29
User or family member had used provider before	22	31	51	8	4	19	23
Referral by another organisation	29	11	5	15	49	23	23
Saw local offices	5	13	9	16	4	5	8
Responded to advertising or contact	2	14	1	4	8	6	5
Searched for information	3	3	3	13	6	10	5
Knew someone who worked there	6	2	2	1	2	2	3
Other answers	1	4	4	1	-	6	2
Don't know	1	-	-	-	-	-	*
Weighted base	353	167	96	85	84	154	939
Unweighted base	332	194	110	84	80	139	939

Base: Users of legal services.

Table A3.5 Fees quoted, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accident or injury	Other matters	Total
	%						
Fee quoted	96	90	82	95	25	78	88
fixed fee	61	70	27	11	8	36	51
estimate	31	15	39	42	15	25	27
hourly fee	4	5	16	42	3	17	9
No fee quoted	4	9	18	5	48	14	10
Told would not have to pay	-	1	-	-	28	8	3
Weighted base	336	151	51	55	40	88	721
Unweighted base	316	174	60	56	40	82	728

Base: All users who pay any legal costs of matter.

Table A3.6 Who user was told would handle matter, by most recent matter type

	Convey- ancing	Will writing	Probate	Family matters	Accid-ent or injury	Other personal matter	Total
	%						
Solicitor or trainee solicitor	80	79	85	89	79	78	81
Barrister	-	-	2	1	1	6	1
Someone else who was legally qualified	7	8	5	-	3	6	6
Someone who was not legally qualified	1	2	1	-	1	1	1
Not given any information about type of person handling matter	10	10	7	5	9	8	9
Don't know person or job title	2	1	-	3	2	1	2
Don't know	*	1	-	2	5	1	1
Weighted base	352	168	95	83	78	154	930
Unweighted base	330	192	110	83	75	138	928

Base: Users of legal services.

Table A3.7 How long legal matter took to be completed, by most recent matter type

	Convey- ancing	Will writing	Probate	Family	Accident or injury	Other matters	Total
	%						
Less than two months	18	81	16	20	12	50	35
2–3 months	52	11	22	11	16	26	32
4 months or more	30	9	62	69	71	25	33
Weighted base	319	150	68	64	49	133	783
Unweighted base	299	174	78	64	44	118	777

Base: Users whose matters have finished.

Appendix 4: Abbreviations and definitions

The following abbreviations are used throughout this report:

ABSs	Alternative Business Structures (new forms of legal practice which are expected to be able to be licensed under the LSA from 2011 onwards)
LSA	Legal Services Act 2007
LSB	Legal Services Board (the new body established by the LSA which will be the oversight regulator of the approved regulators)
MoJ	Ministry of Justice
OLC	Office for Legal Complaints (the new body established by the LSA which will administer an ombudsman scheme to handle complaints against legal service providers (once they have been dealt with under any 'in-house' arrangements))
ONS	Office for National Statistics

The following definitions are used in this report:

- **users** of legal services – individuals who used legal services within England and Wales for personal reasons i.e. **not** on behalf of a business, company or organisation they worked for or ran. The main time period used in this report is use of such services within the last three years (other time periods are used as appropriate for further analysis of specific questions);
- **reserved** services – these comprise rights of audience (that is to appear before and address a court); conduct of litigation; reserved instrument services (e.g. making contracts for the sale of land, lodging a land registration document); probate; notarial services and the administration of oaths. Readers should note that the definition adopted by the user survey will **approximate** to this, as users will not know all the relevant details for the exact classification;
- **non-reserved** activities – these comprise use of legal advice, negotiation or dealing with others and/or mediation;
- **authorised** persons – legal service providers that are authorised under the LSA to provide reserved services. This currently includes solicitors, barristers as well as other legally qualified practitioners (such as licensed conveyancers). Claims management firms may be brought under the oversight regulation of the LSB in the future;
- **commoditised** services – although used in general parlance to describe legal services that are more easily 'packaged' for sale, for the purpose of this study they are defined as conveyancing and will making;
- **main provider** – most users consulted only one provider in connection with their legal matter. However, if more than one provider was mentioned, users were asked "Who would you say was the **main** provider of legal services for you in this matter?" Readers should note that categorisations of authorised and other providers were made on the basis of the **main** provider, if more than one provider was used.

Ministry of Justice Research Series 3/10

Baseline survey to assess the impact of legal services reform

The aim of the survey was to provide robust, nationally representative data about consumers' experiences of using legal services for personal matters in England and Wales in the period before the full implementation of the 2007 Legal Services Act (LSA). Respondents were identified through a question placed on eight successive waves of the Office for National Statistics (ONS) Omnibus survey and 939 users were re-contacted and interviewed by telephone between March and July 2009. The research shows that users of legal services tended to live in less deprived areas than the general population and were more concentrated in the late 20s, 30s and 40s age groups. Legal service users were generally content with their legal service providers and the services they provided, although there was some scope for improvement. The research suggests that there is scope for further competition in the legal services market; the lack of people who shopped around suggests the possibility that new entrants to the market could find it challenging to establish a foothold.

ISBN 978 1 84099 352 3

© Crown copyright

Produced by the Ministry of Justice

Alternative format versions of this report are available on request.

E-mail: research@justice.gsi.gov.uk

<http://www.justice.gov.uk/publications/research.htm>