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**In-depth understanding of the legal journey  
for individual consumers and small businesses**

Prepared for the Solicitors Regulation Authority

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June 2022

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**Key terms**

<b>Consumers</b>	Individuals “who use, have used or are or may be contemplating using” legal services, who have rights and interests (IRN Research 2021b).
<b>Legal capability</b>	The capabilities required for an individual to have an effective opportunity to make a decision about whether and how to make use of the justice system to try to resolve a problem (Pleasence and Denvir 2021).
<b>Legal capacity</b>	A business has “legal capacity” if it has an employee or contractor who is either a qualified lawyer or has some training in handling legal issues (BMG Research 2018).
<b>Legal issue</b>	A legal issue is something that happens that has legal implications and may need the help of a lawyer to sort out. It is a question or problem that is answered or resolved by the law (Solicitors Regulation Authority 2021a).
<b>Legal services</b>	Law-related services, such as legal advice or representation in court (The Law Society 2022a).
<b>Non-user of legal services</b>	A person who experienced a legal issue but did not use legal services.
<b>Small business</b>	A business that is independent and not a subsidiary of a larger organisation, employing up to 49 full time employees (Legal Services Board 2022, Pleasence et al. 2012, Small Business, Enterprise and Employment Act 2015).
<b>User of legal services</b>	A person who used legal services to address a legal issue.
<b>Vulnerability</b>	An individual whose circumstances and/or personal characteristics (e.g., low legal confidence, low accessibility for legal services) create a situation where they have reduced ability to protect their interests and are more likely to be disadvantaged (IRN Research 2021b).

## 1. Executive Summary

The general objective of this research is to understand, in detail, the legal journey of individual consumers and small business owners in England and Wales. More specifically, this study examines the needs and experiences of different legal consumers, their decision-making process when perceiving a legal need, the attributes they consider when choosing a legal service provider, and the barriers limiting their access to legal services.

We conducted 35 in-depth, semi-structured interviews with individual consumers ( $n = 22$ ) and small business owners ( $n = 13$ ) who varied substantially on the following attributes: (i) legal issue experienced (e.g., conveyancing; employment), (ii) whether they used legal services (i.e., users;  $n = 28$ ) or not (i.e., non-users;  $n = 7$ ), (iii) the difficulty they encountered when seeking legal services, (iv) their prior experience with legal services (i.e., first time vs experienced users), and (v) their geographic location (England or Wales). Our interview protocol combined four techniques: storytelling, laddering, projection, and critical incident. The qualitative data collected through the interviews were analysed with the aims to (i) map the process of using legal services, and (ii) identify the focal attributes motivating the choice of legal service providers, satisfaction with those services and barriers to accessing them.

For individual consumers, factors relating to trust, cost, communication, perception of legal services and of the specific case, and features of the service provider emerged as impacting (i) the decision of whether to seek legal support and (ii) the level of satisfaction during the service journey. Barriers that deter or prevent legal engagement include high cost, concerns about personal relationships, and the time and energy required to pursue legal services. Individuals who use legal services for the first time tend to choose potential providers based on an internet search and/or a recommendation from colleagues, other service providers, governmental bodies or close social circle. Consumers who had a satisfying experience with a particular provider prefer to consult that same provider for future advice regardless of the provider's specialism and the current legal issue.

For small business owners, factors relating to trust, time requirement, relevant specialism, features of the service provider, and communication affect the decision whether to seek legal support and the level of satisfaction during the service journey. Barriers that deter or prevent small business owners from legal engagement include the difficulty of selecting a legal service provider, cost and cash flow disruption, and concerns about client relationships. Most small business owners tend to choose legal service providers on the basis of recommendations from within their professional network.

### **3. Introduction**

#### **2.1 Inception of the research**

This research has been commissioned by the **Solicitors Regulation Authority (SRA)**, with the following overarching aims: (i) deepen the understanding of consumer concerns and requirements for legal services, (ii) identify gaps in legal provision and (iii) determine whether and to whom any gaps are detrimental. The SRA further specified the scope of the research to focus on individual consumers and small business owners in England and Wales. The research team consists of consumer behaviour researchers at **Bayes Business School** (formerly Cass), City University of London.

This research consists of five cumulative phases, with each phase building on the findings of the previous phase. Through extensive desk research, Phase 1 provided a comprehensive examination and systematisation of existing frameworks used to segment the supply and demand of legal services in England and Wales. Guided by the findings of Phase 1, Phase 2 consists of a qualitative study to assess consumers' legal needs and experiences in the legal customer journey. Phase 3 will implement a novel value-based approach for the identification of market segments which, building from and extending existing segmentation frameworks, aims to classify consumers based on their attitudes, preferences, and behavioural tendencies towards legal services. Phase 4 will provide an in-depth examination of ethnic minorities' and low socioeconomic individuals' understanding of, attitudes toward, and barriers to accessing legal services. Finally, Phase 5 will test potential policy interventions designed to improve individual consumers' and/or small business owners' adoption of needed legal services in England and Wales.

#### **2.2 Scope of this report**

This report covers Phase 2 of the overall project. The main objective of this phase of the research is to understand in detail the legal journey of different types of consumers (i.e., individual consumers and small business owners). More specifically, this study is commissioned to understand the needs and experiences of different types of consumers, their decision-making process when perceiving the need for legal support, the attributes and benefits they consider when choosing a legal service provider, and the barriers that deter or prevent them from using legal services. As an input to the subsequent empirical phases of the project, this study will aid the identification of attributes and benefits that consumers seek in legal services for various legal issues.

The Legal Services Act 2007 established the Legal Services Board as a regulatory oversight body to reform and modernise the legal services sector in the interests of consumers, and thereby to enhance quality, ensure value for money, and improve access to justice across England and Wales (Oxera Consulting 2011). Since then, the legal services market typically has been divided into broad consumer groups such as:

- ‘less sophisticated’ natural persons (i.e., individual consumers) and legal persons (i.e., small and medium enterprises, or SMEs, and charities),
- ‘sophisticated’ legal persons (i.e., large businesses and government; Legal Services Board 2018, Oxera Consulting 2011, Solicitors Regulation Authority 2019).

In this study, we focus on ‘less sophisticated’ consumer groups, in the Oxera typology. That is, we focus on individuals and small businesses, which are defined as independent organisations with fewer than 50 employees (Blackburn et al. 2015, Legal Services Board 2022, Pleasence et al. 2012). Indeed, we specifically targeted in this research “micro businesses,” which have fewer than 10 employees (Small Business, Enterprise and Employment Act 2015).

Previous research has revealed several reasons why individual consumers and microbusinesses merit particular attention, in terms of their access to and use of legal services. First, individual consumers and small businesses are less likely to access the legal services they need (Cross 2014, Solicitors Regulation Authority 2017).

Second, they are often in a situation of power imbalance with respect to suppliers, due to their lack of experience and expertise. This relative lack of power tends to render them more vulnerable than ‘more sophisticated’ consumers such as large businesses with in-house legal teams (Competition and Markets Authority 2016, Furnham, McClelland and Swami 2012, Glückler and Armbrüster 2003, Oxera Consulting 2011, Rottmann, Glas and Essig 2015, Solicitors Regulation Authority 2019).

Third, individual consumers tend to have lower legal capabilities (see Key Terms above), and thus are less likely to obtain help and more likely to experience difficulties when addressing legal issues (YouGov 2020). Similarly, the majority of microbusinesses have no in-house legal capacity (see Key Terms), and hence they are also more likely to attempt to address legal issues by themselves without seeking legal support (Blackburn et al. 2015, BMG Research 2018).

### 2.3 Aims and contributions of this research

The specific aims of this research are to better understand:

- How do different types of consumers use legal services and what would help individuals and small businesses to use a legal service provider when they have a legal need, including people who are particularly vulnerable?
- What are the barriers to seeking legal advice and help for different types of consumers? What is the potential detriment to different consumer groups when they cannot access legal help and, where beneficial, what might encourage and enable them to use solicitors more?
- What is necessary to increase the extent to which different types of consumers trust legal service providers?

Using a qualitative approach, this research aimed to provide several contributions. In general, the findings reveal the similarities and differences between individual consumers and small businesses, in terms of their legal needs and the factors that affect their choice and use of legal services (i.e., preferences for and value associated with different attributes of legal services). Below we explain in more detail these research contributions.

First, prior studies have shown that consumers' access to legal services can be affected by multiple factors, such as consumers' age, income, ethnicity, the nature of the legal issue, their prior experience with legal services, and their level of legal capability (IRN Research 2021b, Legal Services Board forthcoming, Legal Services Consumer Panel 2021a, 2021b, 2021c, Oxera Consulting 2011, YouGov 2020). Thus, different groups of consumers may have varying experiences along their legal journey. Although attempts have been made to provide segmentation frameworks for grouping various types of consumers, a lack of synthesis of these frameworks has resulted in limited knowledge on how to design tailored service offerings to accommodate the varying needs of different consumers. Furthermore, through our systematic review in Phase 1 of this research, we found that current segmentation practices are mostly based on consumers' demographic characteristics and the nature of the legal issues they experienced, leaving the use of psychographic and behavioural variables of consumers under-developed. To bridge this gap, in the present research we conducted semi-structured interviews to deepen the understanding of consumers' attitudes and behavioural tendencies in their legal journey, by exploring and explaining their needs, attitudes, motivations and barriers when they seek and use legal services.



Second, a notable limitation of prior research is that the majority of prior studies have shed light on individual consumers' decision-making process when using and accessing legal services for their legal problem (e.g., IRN Research 2021b, Optimisa Research 2013, YouGov 2012a, 2012b, 2020), but very few have provided insights on the legal experiences of small business owners (Blackburn et al. 2015, BMG Research 2018, Centre for Strategy & Evaluation 2021, IRN Research 2021b, Legal Services Board 2022). To address this gap, our study included individual consumers and small businesses, offering opportunities to directly compare the similarities and differences of the legal journeys of these different types of consumers.

Third, past research has well documented that consumers do not always access the legal services they need. In fact, such substantial unmet needs from individuals and small businesses in the legal services market have been estimated at £11.4bn worth of demand annually (LawTech 2021). However, the majority of studies have relied on understanding consumers' legal experiences for those who have used legal services, leading to limited insights on those with unmet needs or those who can be considered as potential but unserved customers. Until now, very few studies have examined non-users of legal services who may have potential legal needs, and they often either focused on one specific type of legal problem that potential consumers experienced (Ministry of Justice 2015) or did not articulate consumers' valuation of legal services (Optimisa Research 2013). Considering the above limitation, our research not only consists of direct comparison between consumers who are users and non-users of legal services, but also focuses on identifying those key attributes of legal service offerings that drive their decision-making.

Lastly, as a simple matter of timing, prior empirical studies have offered limited insight on how the Covid-19 pandemic has affected consumers' legal experiences. Some studies have shown that the pandemic has shifted people's preferences in their engagement methods with legal service providers from face-to-face to hybrid and online (IRN Research 2021b, Legal Services Consumer Panel 2021b, 2021c, Solicitors Regulation Authority 2021b). While it has also been suggested that the shift to online engagement and digitalisation is likely to continue in a post-pandemic era (Qian et al. 2022, The Law Society 2022b), gaining an enriched and updated understanding of consumers' legal experiences during the pandemic is critical for both service providers and regulatory bodies, to better address consumers' needs in the foreseeable future. Thus, the present research provides an up-to-date and in-depth understanding of consumers' legal experiences during a pandemic.

## 2.4 Overview of the research

We conducted 35 semi-structured interviews with individual consumers ( $n = 22$ ) and small business owners ( $n = 13$ ) in England and Wales. Informants were recruited via an online research panel (i.e., Prolific), which represents a demographic distribution consistent with census data from the ONS. We first conducted a large pre-screening survey to identify a sample of informants who varied substantially on pre-specified inclusion criteria (e.g., prior experience with legal services, difficulty of finding legal services, etc.) and who collectively experienced a broad range of legal issues. We then interviewed people who experienced one or more legal issue within the past two years, and either used a legal service ( $n = 28$ ) or did not act upon their legal issues (i.e., those who did not use any legal services,  $n = 7$ ). Our qualitative data analyses were aimed to (i) map the process of using legal services, and (ii) identify emerging attributes and barriers in the choice of legal service providers and satisfaction with those services.

## 3. Method

### 3.1 Sampling strategy

Prior to data collection, we defined a *purposive sampling strategy*, which is a nonprobability sampling technique that involves recruiting informants based on their characteristics and experiences (Bahl and Milne 2006, Creswell 2003, Etikan et al. 2016). The aim of the study was not only to compare different types of consumers (i.e., individuals and small businesses), but also to include informants who varied substantially on the following attributes: (i) legal issue experienced, (ii) whether they used legal services (i.e., users) or not (i.e., non-users), (iii) the difficulty they encountered when seeking legal services, (iv) their prior experience with legal services (i.e., first time versus experienced users), and their geographic location. Regarding location, we aimed to oversample Welsh individual consumers, to allow a more reliable comparison to English individuals.

### 3.2 Pre-screening survey

To facilitate our purposive sampling strategy, we first conducted separate pre-screening surveys for individuals and small businesses, in order to collect data on the sampling criteria listed above. Specifically, in the pre-screening surveys for individuals and small businesses respectively, we first set up several comprehension questions to ensure survey

participants fully understood the definitions of “legal issues” and “legal services” (adapted from Solicitors Regulation Authority 2021a).

Once they answered these comprehension questions correctly, participants were asked whether they had experienced a legal issue within the past two years (cf. IRN Research 2021a, YouGov 2020). For the small business survey, we included additional filter questions to verify that respondents were indeed small business owners and responsible for making legal decisions for their business (IRN Research 2021a, Pleasence et al. 2012).

Next, we presented respondents with a list of legal issues and asked them to identify which one(s) they had experienced within the past two years. The list of legal issues differed for individuals (e.g., immigration matters; will writing) and small business owners (e.g., business premises; intellectual property), and were adapted from YouGov (2020) and IRN Research (2021a). Participants also indicated whether they had experience using legal services, and answered questions about their user and non-user experiences (such as the current status of the issue, their subjective legal literacy, their satisfaction and prior experiences with legal services for users; and their consideration of using legal services for non-users). At the end of the survey, participants provided their demographic information. See Appendix 7.1 for further detail on the screening surveys.

### **3.3 Informants**

We used responses to the pre-screening surveys to identify potential informants with varying characteristics and experiences (i.e., the sampling criteria), and we invited them to participate in the main study. Ultimately, the 35 informants who completed the interview reflected a mix of individual demographic characteristics (e.g., age, gender, occupation, income), business-related characteristics (e.g., annual turnover, industry sector), geographic location (i.e., England and Wales residents), and various legal issues experienced. Tables 1 and 2 respectively summarise the individual consumers’ and small business owners’ characteristics and experiences.

**Table 1. Characteristics of individual informants**

ID	Geographic location	Legal issue experienced	Legal service used	Difficulty of finding legal service providers (1=Easy, 7=Difficult)	First time user vs. Experienced user
1- Individual	England: Yorkshire and Humberside	Other: data breach	Solicitor	5	Experienced
2- Individual	England: South West	Any offences or criminal charges	Solicitor	3	First time
3- Individual	England: South East	(1) Will writing (2) Accident or injury: Car crash	(1,2) Solicitor	3	Experienced
4- Individual	Wales	(1) Will writing (2) Conveyancing	(1,2) Solicitor	2	First time (both issues at once)
5- Individual	England: West Midlands	Conveyancing	Solicitor	2	Experienced
6- Individual	Wales	(1) Neighbour disputes (2) Probate (3) Power of attorney	(1,2,3) Solicitor	1	Experienced
7- Individual	Wales	(1) Accident or injury: Car crash (2) Employment disputes	(1,2) Did not use legal services	3	Experienced
8- Individual	England: South West	(1) Will writing (2) Neighbour disputes	(1) Non-solicitor specialist (2) Local council	2	Experienced
9-Individual	Wales	Immigration matters	Did not use legal services	Did not think of getting help from a legal service provider but obtained help through other sources	Non-user

## Sensitivity: General

10- Individual	England: North West	(1) Family matters (2) Family matter: Guardianship	(1) Solicitor (2) Did not use legal services	3	Experienced
11- Individual	England: North West	(1) Family matters (2) Any offences or criminal charges	(1) Solicitor, barrister (2) Solicitor	5	Experienced
12- Individual	England: South East	(1) Conveyancing (2) Immigration matters	(1) Solicitor (2) Did not use legal services	4	First time
13- Individual	Wales	Will writing	Solicitor	2	Experienced
14- Individual	England: Central London	(1) Family matters (2) Conveyancing (3) Family matters	(1) Solicitor, barrister (2) Solicitor (3) Did not use legal services	(3) Informant thought of getting help from a legal service provider but did not try	Experienced
15- Individual	England: North West	Conveyancing	Solicitor	2	Experienced
16- Individual	England: Greater London	Housing: Rental dispute	Citizens Advice	2	First time
17- Individual	England: East Midlands	Conveyancing	Solicitor	1	Experienced
18- Individual	England: East of England	(1) Conveyancing (2) Immigration matters	(1,2) Solicitor	2	Experienced
19- Individual	England: North West	Debt problems	Citizens Advice	3	Informant was unsure
20- Individual	England: South East	Conveyancing	Solicitor	5	Experienced
21- Individual	England: North West	Any offences or criminal charges	Solicitor	2	Informant was unsure
22- Individual	England: North West	(1) Conveyancing (2) Accident or injury: Car crash (3) Employment disputes	(1,2) Solicitor (3) Did not use legal services	3	Experienced

Table 2. Characteristics of small business informants

ID	Company size	Annual turnover	Industry sector	Legal capacity	Legal issue experienced	Legal service used	Frequency of use	Geographic location	Prior experience
1- Small Business	1	£25,000 to £49,999	Retail	No	Business premises	Did not use legal services	Non-user	England: Yorkshire and Humberside	No
2- Small Business	6 to 9	£25,000 to £49,999	Education; Publishing	No	Trading	Did not use legal services	Non-user	England: South East	Yes
3- Small Business	2 to 5	Less than £25,000	IT and telecoms	No	Business set up and ownership: Contractual	Solicitor	One-time user	England: Greater London	No
4- Small Business	2 to 5	£100,000 to £249,999	Business Consulting	No	(1) Business set up and ownership: Contractual (2) Business set up and ownership	(1) Solicitor (2) Did not use legal services	Regular user	England: South East	Yes
5- Small Business	2 to 5	£100,000 to £249,999	Manufacturing	No	(1) Debt (2) Trading	(1,2) Solicitor	Regular user	England: North West	Yes
6- Small Business	2 to 5	Less than £25,000	Hospitality and leisure; Media, marketing, advertising, PR and sales	No	(1) Intellectual property: Copyright (2) Other: service dispute with online platform	(1,2) Did not use legal services	Non-user	England: Central London	No
7- Small Business	6 to 9	£3 million to £4.9 million	Manufacturing	No	(1) Workplace injuries/illness (2) Intellectual property (3) Employment	(1,2,3) Solicitor	One-time user	England: Greater London	No

## Sensitivity: General

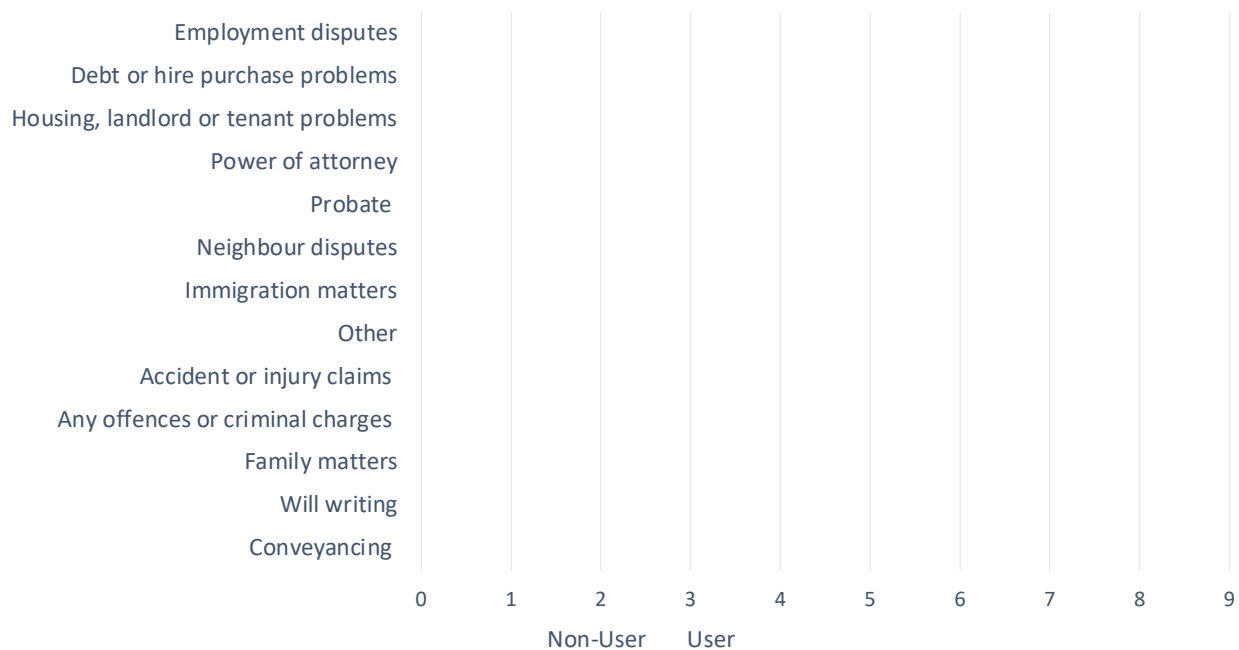
8- Small Business	More than 9 (21)	£50,000 to £99,999	Accountancy; Business Services	Yes	Intellectual property	Solicitor	One-time user	England: Greater London	No
9- Small Business	2 to 5	£250,000 to £499,999	Real estate	No	Rented/leased out premises	Solicitor	Regular user	England: East Midlands	Yes
10- Small Business	More than 9 (15)	£1 million to £1.9 million	Medical and health services	No	Employment	Legal service from Insurer	Insurance covered legal service	England: East of England	Yes
11- Small Business	6 to 9	£250,000 to £499,999	Medical and health services	No	Trading: Fraud dispute	Solicitor; legal service from Insurer	One-time user	England: South East	No
12- Small Business	1	£50,000 to £99,999	Business consultant	No	Debt	Claims management company	One-time user	England: East of England	Yes
13- Small Business	2 to 5	£25,000 to £49,999	Professional Services	No	Business set up and ownership	Solicitor	One-time user	England: East of England	No

Note: Due to an extremely low response rate, we were unable to include any small business owners in Wales.

Figures 1 and 2 respectively report the prevalence of the various types of legal issues that individual consumers and small business owners experienced. For each type of legal issue, we show separately those who used a legal service (i.e., users) and those who did not act upon the legal issue (i.e., non-users). Note that because each informant could experience more than one legal issue, the total number of legal issues experienced exceeds the total number of informants.

Among individual informants (Figure 1), conveyancing was by far the most prevalent legal issue, and given that conveyancing is a reserved legal activity, all informants who experienced this issue necessarily used a legal service to address it. (Note that probate is also reserved.) Will writing was also a commonly experienced legal issue, and despite not being a reserved legal activity, all four informants who experience this issue used a legal service to address it. Another common legal issue was family matters, and for the resolution of this issue some informants used a legal service, whereas others did not. This indicates a legal issue with unmet legal needs. Immigration matters and employment disputes also exhibited unmet legal needs.

**Figure 1. Legal experiences of individual informants (N = 22)**



Among small business owners (Figure 2), the most commonly experienced legal issue was business set up and ownership, and while most business owners used a legal service to resolve that issue, not all did. Trading and intellectual property were also common, and here also not all business owners used a legal service to resolve those issues. These are



unmet legal needs of small business owners. Employment and debt/insolvency issues were also relatively common, but were always addressed with a legal service.

**Figure 2. Legal experiences of small business informants (N = 13)**



In sum, the individual consumer and small business informants interviewed exhibited a broad range of legal issues, not all of which were met. Note also that, given the targeted nature of purposive sampling, this sample is not intended to be statistically representative of individual residents of, or small businesses operating in, England and Wales.

Nonetheless, this purposive sampling procedure ensured a thematic saturation based on our pre-determined sampling criteria (Bahl and Milne 2006, Creswell 2003, Etikan et al. 2016), and allowed us to develop a generalised conceptualisation of legal decision-making processes.

### 3.4 Interview procedure

The interviewer followed a semi-structured interview guide (see *Appendix 7.2*). For our research purpose, semi-structured, in-depth personal interviews allowed us to use “guided conversation” to elicit informants’ narratives and stories regarding their past legal experiences (Martin et al. 2006, Zaltman and Coulter 1995). In the interview, we focused on consumers’ motivation, situational reasoning and behaviours within their legal decision-making processes.

More specifically, our guide combined four qualitative interview techniques from marketing research (for detail see *Appendix 7.2*): storytelling, laddering, projection, and critical incident techniques.

- *Storytelling* is a technique in which participants are asked to describe in detail their own experience in the given issue (Dahl, Honea and Manchanda 2003). This allowed us to gain a meaningful and contextual understanding of the informant's legal journey.
- *Laddering* is a technique used to understand "how consumers value the attributes of products or services into meaningful associations with the respect of self" (Phillips and Reynolds 2009, Reynolds and Gutman 2001; Veludo-de-Oliveira, Ikeda and Campomar 2006). According to Means-End theory, laddering allows one to interpret the informant's value hierarchy by decomposing "from product attributes (A) to consequences of product use (C) and to individuals' values (V)". Thus, this technique enabled us to uncover the drivers of consumers' decision-making in their legal journey, in the specific terms of the attributes of the service offering that they value most.
- *Projection* is a technique in which informants are asked to imagine themselves in some given hypothetical scenario(s). This technique allows one to uncover informants' unconscious thoughts and feelings, and tendencies that they otherwise might not be willing or able to reveal (Belk 2007, Boddy 2005). We used projection to explore informants' perceptions of, attitudes toward, and behaviours regarding legal services, under the guise of a hypothetical scenario that permitted unbiased responding.
- The *critical incident* technique allows the researcher to understand the factors affecting a particularly positive or negative customer experience (Flanagan 1954, Gremler 2004). In our context, this technique provided an in-depth understanding of individuals' cognitive, affective, and behavioural processes when choosing and engaging with legal services.

The interviews were conducted via videoconferencing software (i.e., Zoom) between April and May 2022, with an average duration of 45 minutes per interview session.

### **3.5 Data analysis**

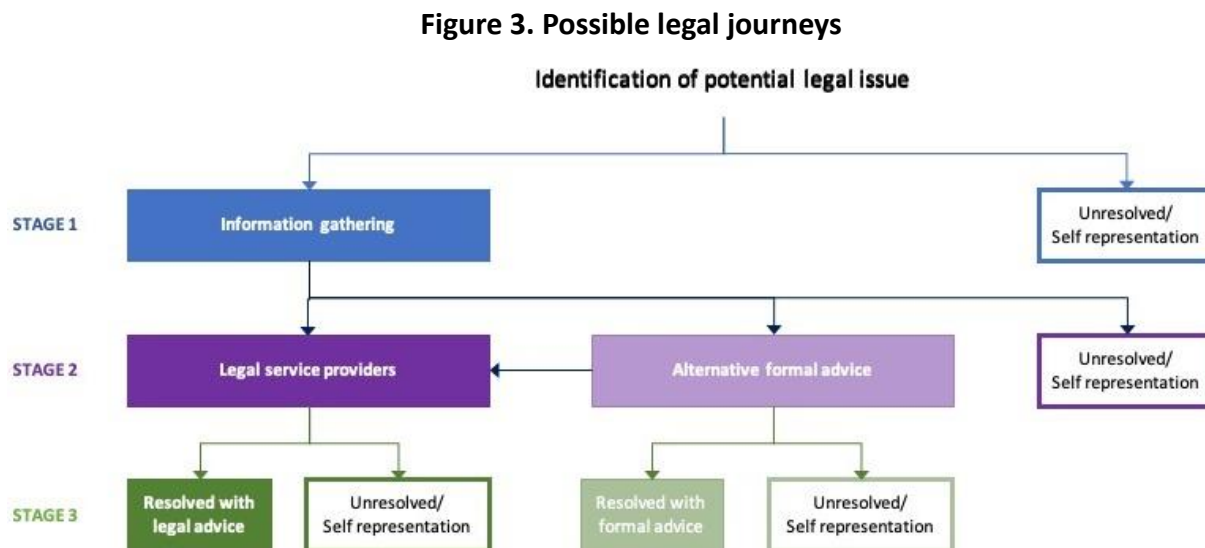
We conducted an iterative analysis of the interview data (Miles and Huberman 1994, Spiggle 1994) through categorising, abstracting, comparing, and integrating, with the

purpose of identifying the decision-making process in the consumption of legal services. We used the software NVivo to support the data analysis process. In the first stage of analysis, each interview was transcribed into text and was analysed to identify the informants' legal journeys. In the second phase of analysis, we focused on cross-case comparison and analysis among informants, taking a grounded-theory approach to identify emerging constructs and categories related to the research objectives (Bardhi and Eckhardt 2012, Fischer and Otnes 2006). In addition to the interview data, we reflected on the findings in relation to the literature, which we elaborate in Section 4.

## 4. Results

### 4.1 The legal journey

This study explored in-depth how individual consumers and small business owners choose different routes to legal service provision, and factors that impact their choices of service providers, which are presented in Figure 3.



#### 4.1.1. Choosing to self-represent or not resolve the legal issue

When an individual consumer or small business owner faces a legal issue, that issue can either (i) remain unresolved, (ii) be resolved through self-representation (i.e., resolving the issue oneself, without legal advice), or (iii) be resolved through some legal advice.

Further, when an issue is resolved by legal advice, it may be by a legal service provider (e.g., a solicitor) or some alternative formal advisor (e.g., Citizens Advice).

In some cases, consumers recognise their legal need, but they do not search for legal advice at all, because they decide not to address it, or to address it indirectly. For instance, a family matter could be ignored without any legal ramifications, or an aggrieved family member could cease interacting with other family members.

In other cases, consumers do not seek legal advice because they decide to address the legal issue themselves (i.e., self-representation), or informally in some other way that does not involve legal service providers (e.g., seeking advice from friends). Self-resolution typically involves personal costs (e.g., time and effort), and may also involve interpersonal relationship management (e.g., communication between conflicting parties). This path to resolution is often chosen to avoid going down a legal route, which may be regarded as a less “friendly” way of solving a problem.

According to the data from our study, informants often experienced a sense of vulnerability after identifying any legal needs, caused by a general lack of knowledge of the legal process and legal service providers. This perceived vulnerability is especially strong among first-time users of legal support, and consumers were likely to gather information from various sources at first, to minimise the sense of uncertainty.

A consumer’s vulnerability is often related to their personal characteristics and contextual circumstances, and this creates a market-specified situation where consumers may not be able to protect their interests and are more likely to experience a disadvantage due to subjective vulnerability (IRN Research 2021b; see Key Terms). In the legal market, research conducted by the Legal Services Board (2020) identified three factors causing vulnerability: (i) mental stress caused by identified legal issues, (ii) information asymmetry of the legal process, and (iii) lack of knowledge to assess the quality of services before and after use.

Although we initially thought to identify vulnerable consumers as those non-users who reported low legal confidence or low accessibility for legal services (cf. Optimisa Research 2013, YouGov 2020), our findings revealed a substantial subjective vulnerability across all informants, which we will discuss in detail in the subsequent sections.

The decision of whether to seek legal services appears to be based at least partially on the perceived risk of the legal issue remaining unresolved. For problems with low perceived

risk, consumers tend to either leave it unresolved, resolve it themselves, or follow informal advice to solve the problem (e.g., suggestions from family and friends, or from social media). For problems with high perceived risk, consumers are generally more likely to seek formal legal advice. However, consumers who have sufficient information about the process, either through prior experience or active information-seeking, sometimes choose to represent themselves. Still other times, consumers initially attempt to resolve the legal issue without formal advice, but due to an inability to self-resolve the issue (e.g., due to lack of knowledge or time, or failure to resolve a contentious issue), they eventually do seek formal legal services.

*“So after a few weeks of trying to be nice and friendly doing it by agreement, we thought, well, this isn't working.”*

– an individual user of a solicitor for neighbour disputes

#### **4.1.2 Information gathering for potential legal needs**

According to our interviews, both individual and small business informants understand the risks of information asymmetry, and they try to minimise those risks and potential negative experiences by gathering information from multiple sources. The information gathered then impacts consumers' decisions about whether and how to use formal legal support.

To gather information about potential resolution of the legal problem, informants learn from the following sources to understand what their rights are, whether to engage in a formal legal process, what the options of legal service providers are, and how to choose among them:

- Prior knowledge accumulated from
  - social contacts
  - work experiences
  - previous user experiences
  
- Online search
  - keywords search via internet search engine
  - government websites
  - social media (e.g., Facebook, Reddit) and specialised forums (e.g., for single parents)

*“So the first thing would just be, I'd probably to be honest, I'd probably have to do a Google search of what exactly the process is at that point. So I actually know just to kind of wrap my head around what, who you'd go to.”*

– a first-time individual user of conveyancing service

*“I don't know necessarily what questions I would have to ask the law firm, so they (online forums) just give you an example.”*

– an individual user of a solicitor for employment disputes

With initial understanding of the problem and of options for related legal services, consumers tend to seek formal advice or legal services when they perceive the case as severe or high risk if remaining unresolved, and when they lack sufficient information for self-resolution. If the information gathered reveals a straightforward and clear process, the consumer's confidence in self-representation tends to increase, and hence the need for formal legal advice may be reduced, leading to self-representation at Stage 2 (see Figure 3). Meanwhile, the gathered information might also suggest a low risk if the situation remains unresolved, sometimes leading to an unresolved case at Stage 2.

*“I started the process and found it very difficult to access information from the legal side of social services. That was the most difficult part. It was a very stressful and very emotional issue to deal with.”*

– an individual user of social services and solicitor for special guardianship

Further discussion about barriers, in Section 4.3, will elaborate on the reasons underlying the choice to self-represent and to leave cases unresolved in further detail.

#### **4.1.3 Passive information about claim-related services**

For some informants, the need for legal services arose from noticing related advertisements, mostly about will writing. This process of passive information gathering not only guides informants to the advertised legal providers, but also motivates them to search for other suitable legal providers for related needs. Reminders from current service providers (e.g., financial advisor or estate agent) also act as a passive source of information.

#### **4.1.4 Alternative formal advice**

Consumers sometimes seek formal advice from public organisations, such as Citizens Advice or their local council. However, the information gained from those organisations tends to be at a general level (with the exception of severe family disputes), rather than being personalised to the particular case or circumstance. For instance, consumers often receive recommendations about reading more reliable information online or a list of legal service providers after seeking alternative formal advice.

*“They weren't that helpful because they said they couldn't really comment on specific cases, but they were able to tell me that they like signposted me to where I could find out what the law was, like the government website and other sort of charities.”*

– an individual with unresolved employment disputes

#### **4.2 How individual consumers choose legal service providers**

When individual consumers realise the need to seek legal support, there are many factors in practice that may affect the likelihood of engaging with legal professionals to address the legal issue. Some of those factors only affect the consumer's choices of service provider, whereas others additionally have an impact on consumer's satisfaction with the legal service provision (see Table 3).

Among the emerging themes from the interviews, factors related to communication appear to be the most prevalent and important, including approachability, emotional support, responsiveness, transparency and engagement methods. Subjective vulnerability, especially mental distress, can be effectively dealt with through good communication before and during the service experience. This observation echoes findings from previous studies (Optimisa Research 2013). These factors will be discussed in the next subsections.

Other factors that act as barriers and prevent consumers from using legal services will be discussed in depth in Section 4.3.

**Table 3. Attributes relevant for the choice of legal service providers and impacting satisfaction among individual informants**

Factor	Relevant for Choosing Providers	Impacts Consumer Satisfaction
Sources of information	Yes	-
Approachability	Yes	Yes
Emotional support	Yes	Yes
Responsiveness	Yes	Yes
Transparency	Yes	Yes
Engagement method	Yes	Yes
Cost	Yes	-
Performance indicators	Yes	-
Specialism	Yes	-
Convenient choice	Yes	-
Availability	Yes	-
Regulation	-	-

#### 4.2.1 Sources of information

How the consumer gathers information about legal service providers influences the decision-making process, as the information source contributes to the level of trust in the providers. We identified four primary sources of information through which consumers become familiar with or choose legal service providers.

- Recommendations: Recommendations from trusted sources, including personal contacts, providers of other professional services, and organisations such as police, charities and unions.
- Prior experience: Some consumers have previously used a particular legal service provider, and were satisfied with their experience. They therefore expect the same level of satisfactory experience from that provider for a similar or even a different type of legal service.
- Online search: Search of positive reviews and attractive or informative websites, which may act either as a starting point or a validation of a recommendation.



- Advertisements: Consumers interpret advertisements as a signal that the legal service provider is effective, which in turn engenders high expectations of satisfaction with the provider's services.

An overarching theme that emerges across these four sources of information is the importance of trust. Recommendations are most effective from trusted sources, and prior experience with a legal service, positive online reviews, and effective advertisements all increase consumers' trust.

#### **4.2.2 Approachability**

Due to the *information asymmetry* of the legal process – that is, consumers typically have far less knowledge of and information about the legal process than legal service providers have – how “approachable” the service providers are is key for consumers not only when choosing among service providers, but also in feeling satisfied throughout the service. Being approachable refers to how comfortable consumers feel to ask uninformed and basic questions about the legal procedure and legal jargon. Typically, being able to ask questions during an initial conversation or consultation provides an indicator of approachability for consumers when making their choices. A provider's willingness to answer basic questions and explain things in lay terms throughout the legal process would reflect good approachability, which ultimately impacts the consumer's level of satisfaction with the service provision. And conversely, unapproachable providers may lead consumers to attempt to resolve the legal issue themselves, or even to leave the matter unresolved.

*“Honestly, I went with if they gave you a free consultation, I was in quite a desperate situation. So I didn't want to just appoint someone and not even spoke to them. Sometimes you can feel your rapport with someone, once it's someone to represent me to, I felt that I was happy to speak to and they were calm, friendly, easy, approachable, you know, so that's what I went with.”*

*– an individual user when choosing service providers for family court*

*“Sometimes solicitors forget that they're talking to laymen like me. Some of the terminology that they use doesn't mean anything to me.”*

*– an individual user of solicitor services*

### 4.2.3 Emotional support

The sense of vulnerability that many consumers feel due to information asymmetry and mental distress may be exacerbated by the actions of legal services providers. Consumers prefer legal service providers who provide emotional support by relating to the consumer at a personal level (often based on demographic features) and by conveying to consumers that they are listening to their situation and that they will support them. Feeling understood and supported through on-going communication also contributes to consumers' level of satisfaction.

*"I felt that they listened, even though I was in a bit of emotional, rambling wreck. They listened and understood what I wanted to know certainly from that first telephone call."*

– an individual user of social services and solicitor for special guardianship

*"He was so helpful. And so understanding that I felt, you know, here was someone that I could definitely deal with. I trusted what he was saying, what he said made lots of sense."*

– an individual user of a solicitor for will writing

*"She was actually a single mum herself. I felt like she was more relatable and could understand like my concerns and worries ...I felt like, almost felt like she was my friend, to be honest...I felt sometimes she is my counsellor rather than a legal representative."*

– an individual user of a solicitor and a barrister for family court

### 4.2.4 Responsiveness

A service provider's responsiveness to calls and emails impacts the consumer's choice when selecting providers, and also impacts the level of satisfaction with the service experience. Responsiveness at the beginning of the legal process attracts consumers, implying an efficient and shortened process for case resolution. However, being responsive at the beginning of the process may not actually relate to how fast the case is resolved, and when it does not, that leads to frustration and even mental distress. Therefore, *consistent* responsiveness is necessary to build trust and reassure consumers.

*"I think they all sent a little package of information or maybe a one page letter and a little bit of backup.... looks how long it took them to send it ... the company said "we can do that quite quickly as it is what we specialise in..."*

– an individual user of a solicitor for power of attorney

#### 4.2.5 Transparency

Upfront information about the process, the timeline, and the cost reduces consumers' perceived risks and uncertainty, and increases the service provider's likelihood of being chosen. Informants expressed a preference for transparent information on the provider's website and/or in the initial conversation when choosing among legal service providers. A transparent timeline and keeping consumers updated along the journey is one of the most important factors for satisfaction; this was mentioned by most informants as either an area for improvement or a positive aspect of their experience.

*"So why does it cost this much? And I know they've given me a ton of fees, but why does it cost that much to do this, to do X, Y, and Z? And where does that money actually go?"*

*– a dissatisfied individual user of a conveyancing service*

*"It was very much everything's on track, but with no kind of context as to what everything was like, what's on track, where are you at, what's the process. I relied a lot on kind of family and friends to work out what the process was, or Google. I was getting that kind of information elsewhere to try and work out my own kind of timeline, to see where everything was up to."*

*– a first-time user of a conveyancing service*

#### 4.2.6 Engagement methods

Given that the study was conducted in early 2022 and we selected informants who experienced legal issues within the last two years, each interview captures the informant's experience of using or rejecting legal services during the Covid-19 pandemic. Informants view meeting in-person as important for building trust, and it increases satisfaction with the service experience. Meeting in-person may be especially important at or near the beginning of the process, and when any serious problem arises, or a change is necessary during the process. However, consumers also adapted to the use of video calls during the pandemic, and this can also work well to build trust, as it allows both consumers and providers to understand one another's emotions and body language during the conversation. Due to the pandemic, some consumers became accustomed to operating online via emails and telephone without a need to meet in person, and therefore they did not consider engagement methods when choosing service providers.

*“I think it would have been more natural for me to assume that if you want to enlist legal services, you would go to somebody who was nearby. But that's certainly changed my mindset for the experience that we've had over the last year.”*

- an individual user of a conveyancing service

*“At the start, it would be quite nice to see somebody. So at the very start of the process, so they can introduce themselves...The other time I would much prefer to do things in person is when things aren't going well, or if there's a problem. I'd much prefer to be sat down with somebody to try and figure out what happens next and talk through the options rather than online and on the phone would be okay, but in person would be a lot better.”*

– an individual first-time user of a conveyancing service

Choosing a service provider on the basis of location provides the possibility to meet in person, which is not important for every consumer. But it is important for those who are mindful about risks of posting important documents, for instance. Unsurprisingly, location is most important for consumers who have issues that require in-person appointment.

#### **4.2.7 Cost**

Cost was a major consideration for most informants when deciding whether to use legal services, and when choosing which service providers to work with. Once the need for legal services has been recognised, the cost of the legal service also influences the choice among providers. But finding the lowest price is not a priority for all consumers. For many consumers, the price of services also reflects the quality of services, which leads some consumers to choose among providers with a mid-range cost. Of course, many other consumers simply select among the providers with the lowest cost.

*“Just a reasonable price. It's about the market price, not that expensive, and it's not really low that I'd have concerns, why they were able to do it a lot cheaper than anyone else.”*

– an individual user of a conveyancing service

Though value-for-money has been identified as a driver of satisfaction in previous studies (Legal Services Consumer Panel 2021b, 2021c), individual informants in this study did not indicate that cost influenced their level of satisfaction. That could be explained by the fact that consumers tend to assess value-for-money before adoption, and by the increased transparency of cost via different sources of information.

#### **4.2.8 Performance indicators**

Consumers look for and appreciate a good historical success rate, as a proxy that the legal service provider provides a good quality of service.

#### **4.2.9 Specialism**

Consumers often examine providers' websites to understand the provider's specialty and previous experience, both of which indicate the provider's appropriateness for the given case. *Specialism* refers to legal disciplines that the case is related to and the provider has expertise in. A provider's experience can be represented by longevity of practice, whereas the provider's specialty can also include contextual factors such as knowledge about certain geographic areas.

*"They're a big name and they've been around for years, they must be fairly reliable if they, if they were no good, they wouldn't still be in business."*

-- an individual user of a solicitor for power of attorney and neighbour disputes

#### **4.2.10 Convenient choice through online research**

Some consumers prefer a fast and easy choice for relatively simple issues like will writing. However, informants who prefer convenience without knowing any recommended service providers tend to underestimate the risks of the given issue and the complexity of the process, and hence have a higher likelihood of experiencing mental distress or dissatisfaction.

#### **4.2.11 Availability**

A service provider's availability to take the case concerns not only their availability in terms of time, but also their availability in terms of potential conflict of interests. Needless to say, availability is very important to consumers when choosing among legal service providers. Consumers sometimes infer availability from the size of the company, with larger companies appearing to consumers as more likely to have high availability.

#### **4.2.12 Regulation**

Most consumers lack awareness of regulation of legal services. In fact, many consumers assume (incorrectly) that all legal service providers are regulated. Consequently, they

rarely check the regulation status of service providers. For service providers that were recommended or previously known, most informants take regulation for granted. For those who check online, most of them take professional accreditations or staff educational qualifications as evidence of being regulated, and consumers have limited awareness of how to check a provider's regulation status. Only a few consumers expressed confidence in checking a provider's regulation status, and that confidence arose from the individuals' prior knowledge of the legal process from related education and social contacts.

#### 4.3 Why individual consumers do not engage with legal services

In general, consumers may not engage with legal service providers for their problem resolution after information gathering due to:

- Cost-related considerations
  - Eligibility for Legal Aid
  - Affordability without Legal Aid
  - Cost effectiveness (i.e., valued added)
  - Transparency
- Relationship maintenance with involved parties
- Time and energy required

Each of these barriers is discussed below.

##### 4.3.1 Cost-related considerations

Coverage by Legal Aid, affordability without Legal Aid, cost effectiveness and cost transparency are cost-related barriers affecting non-users' decision whether to pursue legal support. *Affordability* refers to whether a consumer with financial limitations has enough money to pay for legal services without Legal Aid, whereas *cost effectiveness* relates to the perceived difference made by engaging legal services. A lack of *cost transparency* during information gathering (before contacting service providers) can also deter consumers from engaging with legal services.

*"If you go to a lawyer and they say, "We need a retainer. We need you to put down £500." Well, I have two kids, I'm a single mom. I need that £500 to pay rent, to get petrol, to pay for food. So I don't have the money to be able to do that. I don't have the privilege, I guess"*

– an individual with an unresolved case related to a car crash

*“Probably one of my sort of fears of dealing with solicitors at the time was that it was going to be expensive. I wanted to try and get a clear idea of what the expected cost was, so I've found, actually getting information on that is almost impossible.”*

– an individual with an unresolved case of a tenancy dispute

#### **4.3.2 Relationship maintenance**

In some cases, the parties involved in a legal dispute may remain in contact after the issue has been resolved. For instance, after a family dispute, many family members remain in close contact. In such cases, the decision of whether to engage with legal services is often considered with reluctance, and is sometimes seen as a last resort, because consumers are concerned with maintaining their relationship with their counterpart. When an individual has less power in the situation compared to their counterpart, such as in a dispute between employee and employer, the individual lacking power is less likely to take formal legal advice, out of a fear of being targeted by the higher-power party after the dispute has been resolved. The low-power individual is more likely to seek alternative formal advice.

*“I was not given the benefits... no sick pay, no annual leave, things like that... So I did get some advice from the Citizens Advice and from some sort of employee helpline. And they agreed that based on what I was saying, it sounded that the next thing to do would be to go for a tribunal. The difficulty was that obviously then creates a rift between you and your employer. And it's a company in an industry that I'm still involved in. It wasn't really feasible to do because I would have ended up losing my job elsewhere. I would have got a bad reputation and I decided after looking into it, that it probably wasn't worth my time or effort or money to do.”*

– an individual with an unresolved issue of an employment dispute

#### **4.3.3 Time and energy required**

The process of legal service engagement requires not only financial resources but also time and energy from individuals. Indeed, in many cases, consumers access legal services when they are in an undesirable situation. Consequently, many consumers prefer to minimise their experience with legal issues and legal services to reduce their discomfort. Consumers may also undertake an informal cost-benefit analysis, whereby they weigh the

time and energy required to pursue legal services against the likelihood and magnitude of a positive outcome from the legal action.

#### **4.4 The legal journeys of small business owners**

Through the interviews conducted with small business owners and directors who are responsible for choosing and using legal services, we identified similar legal journeys as those discussed previously for individual consumers, including information gathering and options to seek alternative formal advice or legal service providers. However, (i) where to seek alternative formal advice and (ii) how effective that alternative advice may be, appear to be less straightforward for those who have attempted this.

Small business consumers use legal services with a relatively higher frequency compared with individual consumers. And as business activities increase, the likelihood of encountering legal issues increases. Thus, some of the small business informants in our sample are frequent users of legal services, engaging with long-term legal service providers across different legal disciplines. Other business owners engage with legal services less frequently, possibly even considering the legal route as the last resort. The accessibility of legal service providers also varies across industries, and many providers offer services that do not cover all of the business' operational activities, creating greater difficulty in identifying long-term legal partners. Finally, the level of satisfaction from a prior legal service experience also impacts the likelihood of long-term engagement across legal specialties.

#### **4.5 How small business owners choose legal service providers**

After recognising their legal issues, small business owners informally assess the cost and time effectiveness of attempting to resolve the issues. For legal issues perceived to have high severity and risks, informants mainly rely on their prior experience and the informal advice that they collect from their professional and social networks. For these consumers, online search is used mainly as a source of information validation.

Specific factors influence small businesses owners' likelihood to choose a legal service provider. Similar to what emerged for individual consumers, some of those factors only affect consumers' choice of service provider, whereas others also have an impact on consumer's satisfaction with the legal service provision (see Table 4).



**Table 4. Attributes for choosing providers and impacting level of satisfaction considered by small business informants**

Factor	Relevant for Choosing Providers	Impacts Consumer Satisfaction
Time-sensitivity	Yes	Yes
Specialism	Yes	-
Performance indicators	Yes	-
Tailored communication	Yes	Yes
Cost	Yes	-

#### 4.5.1 Time-sensitivity

Small business directors and owners are highly sensitive to time-related factors. At the beginning and throughout the legal service provision, the provider's responsiveness and the provision of a clear timeline are weighed heavily in the decision-making process and are important factors for satisfaction. A fast process of problem solving also contributes to the level of satisfaction and willingness to seek legal advice again in the future.

#### 4.5.2 Specialism

When searching for legal service providers, small business owners prefer providers who are specialised in the business' specific circumstances. Small business owners seek legal service providers who (i) have relevant legal specialism, (ii) have experience in the business' particular industry, and (iii) understand the specific needs of small businesses.

#### 4.5.3 Performance indicators

The decision-making process of small business owners is outcome-driven. Therefore, indicators of historical performance are important for their legal choices. Relevant indicators include longevity, success rate and online reviews. Small business owners tend to seek and prefer legal service providers who (i) have been in business for a long time, (ii) have a high success rate, and (iii) have positive online reviews.

#### 4.5.4 Tailored communication

Small business owners highly appreciate communications that are tailored to their needs, in terms of both method (e.g., in-person or online) and style (e.g., formal versus informal).

They are more willing than individual consumers to request further information from legal service providers, in order to eliminate information asymmetry and gain relevant knowledge. Small business owners also value communication features such as being approachable and explaining the process in lay terms, though such features seem more important for satisfaction than for decision-making.

*“What they're doing is somehow tailored in some small way to what I want to do, whether that's, um, the way they communicate, the frequency with which they communicate, the style of their communication, you know? So I'm quite an informal person. I don't want to be called “hello, Mr.” or “good morning, Mr.”*

– a small business user of a solicitor for multiple cases

#### **4.5.5 Cost**

Once a small business owner recognises the need for legal advice, they often prefer value-for-money over low-cost. That is, they seek a high-quality service at a fair price. Many small business owners share a belief that “you get what you pay for,” and hence they tend to avoid the least expensive option.

*“I think it was to be honest, most of the prices came up pretty similar. So like, obviously there's a bit of variation, but at the end of the day, I wasn't going to just run to the cheapest one.”*

– a small business owner with regular legal needs

### **4.6 Why some small business owners do not engage with legal services**

#### **4.6.1 Difficulty of obtaining information**

Many one-time users complained about the difficulty to access sufficient information to make a confident judgement on quality within a limited time frame, especially in the hope of choosing a long-term legal collaborator that could cover a range of legal specialties and could offer help in different situations.

#### **4.6.2 Cost**

Many small businesses have limited financial resources. As such, small business owners often weigh the costs and risks of using legal services against the risk of leaving the legal issue unresolved, or of representing the business without formal legal provision. In many

cases, our informants perceived the expenses for legal services, and the disruption to their business' cash flow, to be riskier than leaving the legal issue unresolved. Thus, cost is an extremely important barrier to access for many small businesses.

*"I don't know if we could have done anything else, all the advice I got was very much negative. This is just too expensive to fight."*

– a small business owner with an unresolved trading dispute

For cases in which the perceived risk of not acting is low, or the legal process is perceived to be relatively straightforward, our informants often prefer to manage the legal issue themselves (i.e., self-representation). It is not a common practice for small businesses to employ legal specialists in their teams, but some informants expressed higher confidence in self-representation after undertaking some form of legal training at university or work.

#### **4.6.3 Relationships with business clients**

Some small business owners are reluctant to use legal services, due to concerns about repercussions for their relationships with current clients. This concern is exacerbated among firms relying on a personal approach to customer relationship management, which often deters them from consulting legal services.

### **5. Impact of the pandemic on legal service use**

As an additional finding emerging from the interviews, the pandemic did not significantly impact the willingness to look for legal services when facing a legal issue, for both individual and small business consumers. Interestingly, the informants have neither experienced limited accessibility of services due to lockdowns (IRN Research 2021b), nor experienced legal issues escalation because of the pandemic (Legal Services Board 2022). However, the experience of lockdown and the prevalence of remote working increased the acceptance of remote and online service provision, including telephone, email, and video conference (which was preferred when offered). Respondents indicated that a hybrid method of engagement would be preferred, as meeting in-person is beneficial for building trust.

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## 7. Appendix

### 7.1 Survey design for informant recruitment

#### Individual Consumer Questionnaire

##### A. Comprehension test & definition:

According to the Solicitors Regulation Authority, **a legal issue is a question or problem that is or could be answered or resolved by the law.** Legal issues may or may not involve the use of legal services, i.e., services involving legal or law-related matters. One may experience a legal issue but choose not to use any legal services.

Legal issues can come up in lots of different ways including from planned events in your life, like buying a home or making a will. They can also appear suddenly, such as family problems, problems at work, or being accused of a crime. Other common legal issues include things like immigration and asylum, consumer rights, housing problems, and issues that have to do with debt and money.

Based on the definition you have just read, please answer the following three questions. You will need to answer all questions correctly to proceed with the survey.

[Participants were asked to answer three related questions correctly, to make sure they understand the meaning of 'legal issue' and 'legal service' in the following questionnaire].

Questions used in comprehension test:

A1. Does having a legal issue necessarily involve using legal services? (SINGLE CODE)

- Yes
- No

A2. Can housing problems turn into a legal issue? (SINGLE CODE)

- Yes
- No

A3: Legal issues can arise from (SINGLE CODE):

- Planned events
- Sudden events
- Debt
- All of the above

**IF [A1= "No" AND A2 = "Yes" AND A3 = "All of the above"] THEN direct to Question B.**



Otherwise, pause survey and notify to re-read definition and answer questions again.

**B. Legal issue experience**

**We will ask you about your experience with legal issues in the last TWO YEARS.**

B1: Did you experience a legal issue within the last TWO YEARS? (SINGLE CODE)

- Yes
- No

IF B1= Yes, THEN B2.

IF B1 = No, THEN End Survey

B2: Which of the following legal issues have you experienced in the last TWO YEARS? Please select all that apply.

(MULTIPLE CODE)

- Conveyancing (e.g. legal work involving buying, selling or transferring property)
- Will writing
- Probate (i.e. legal process of managing the estate of a deceased person by resolving all claims and distributing the deceased person's property under a valid will)
- Family matters
- Accident or injury claims
- Housing, landlord or tenant problems
- Employment disputes
- Any offences or criminal charges
- Immigration matters
- Problems with consumer services or goods
- Advice and appeals about benefits or tax credits
- Debt or hire purchase problems
- Power of attorney (i.e. a legal document allowing one person to act on behalf of another)
- Neighbour disputes
- Other (please specify) TEXT ENTRY

B3: Are your legal issues ongoing or done with? Please select all that apply.

(MULTIPLE CODE)

- Ongoing
- Too early to say
- Done with - the issues persist, but I have permanently given up trying to resolve them

- Done with - the issues have been resolved
- Other (please explain) TEXT ENTRY

### C. Legal services experience

**C1:** What type(s) of legal service did you use in the last TWO YEARS? Please select all that apply.

(MULTIPLE CODE: Two EXCLUSIVE answer groups presenting at the same time).

*C1a. User experience items:*

- A solicitor in a law firm
- An individual solicitor not connected to a specific law firm
- A barrister
- A claims management company
- A licensed conveyancer
- A specialist will writer/will writing and probate service
- An accountant/financial advisor
- A bank/building society
- Citizens Advice/other charity
- Another type of legal service provider (please specify) TEXT ENTRY

*C1b. Non-user experience item:*

- Did not use any legal services

IF C1= Any of C1a items, THEN C2a (i.e., C2a\_1a to C2a\_5).

IF C1 = C1b item, THEN C2b.

### C2. Use/ experience of legal services

**C2a. User experience questions:**

C2a\_1a\_user: prior experience:

Prior to your experience of using legal services in the last two years, did you obtain help from a legal service provider in the past? (SINGLE CODE)

- Yes
- No
- Don't know

IF C2a\_1a= Yes, THEN C2a\_1b.

IF C2a\_1a = No **OR** Don't know, THEN C2a\_2.

C2a\_1b\_user: same/different provider used:

Did you use the same legal service provider you had used before? (SINGLE CODE)

- Yes
- No

C2a\_2\_user: ease of finding a provider:  
How difficult was it for you to find a legal service provider?  
(1= Extremely Easy, 7= Extremely Difficult) (SINGLE CODE)

- |                         |                         |                         |                         |                         |                         |                         |                        |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|------------------------|
| Extremely<br>Easy       |                         |                         |                         |                         |                         |                         | Extremely<br>Difficult |
| <input type="radio"/> 1 | <input type="radio"/> 2 | <input type="radio"/> 3 | <input type="radio"/> 4 | <input type="radio"/> 5 | <input type="radio"/> 6 | <input type="radio"/> 7 |                        |

C2a\_3\_user: engagement method:  
With respect to your experience using legal services, how was the service delivered? Please  
select all that apply. (MULTIPLE CODE)

- In-person
- Telephone
- Email
- Post
- Online
- Other (please specify) TEXT ENTRY

C2a\_4\_user: satisfaction:  
In general, how satisfied are you with the quality of the service received from the legal service  
providers you have used? (1= Strongly Dissatisfied, 7= Strongly Satisfied) (SINGLE CODE)

- |                          |                         |                         |                         |                         |                         |                         |                       |
|--------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------|
| Strongly<br>Dissatisfied |                         |                         |                         |                         |                         |                         | Strongly<br>Satisfied |
| <input type="radio"/> 1  | <input type="radio"/> 2 | <input type="radio"/> 3 | <input type="radio"/> 4 | <input type="radio"/> 5 | <input type="radio"/> 6 | <input type="radio"/> 7 |                       |

C2a\_5\_user: legal literacy:  
To what extent do you agree or disagree with the following statements? (1= Strongly  
Disagree, 7= Strongly Agree) (SINGLE CODE)

Statements:

- I am good at finding information to help resolve my legal issues
- I understand my legal rights and responsibilities
- I know where to get good information/advice, if needed
- I am confident I could achieve a fair/good outcome for my legal issues
- I have a good knowledge and understanding of legal processes and of the steps to take to resolve my issue

Choice anchors for each statement:

Strongly  
Disagree

- 1       2       3       4       5       6       7

Strongly  
Agree

### C2b. Non-user experience questions

C2b\_non-user: consideration of legal service provider:

Even though you mentioned you did not use any legal services for your legal issue, did you consider getting help from a legal service provider? (SINGLE CODE)

- I did not think of getting help from a legal service provider and did not obtain any other help
- I did not think of getting help from a legal service provider but obtained help through other sources (please specify) TEXT ENTRY
- I thought of getting help from a legal service provider but did not try
- I tried to get help from a legal service provider but was not successful

### D. Demographic:

D1: What is your gender? (SINGLE CODE)

- Male
- Female
- Other (please specify) TEXT ENTRY
- I prefer not to answer

D2: What is your age? (SINGLE CODE)

- 18-25
- 26-30
- 31-35
- 36-40
- 41-45
- 46-50
- 51-55
- 56-60
- More than 60 years old

D3: Which of the following best describes your annual household income, before tax? (SINGLE CODE)

- Under £20,000

Sensitivity: General

- £20,000 - £29,999
- £30,000 - £39,999
- £40,000 - £49,999
- £50,000 - £59,999
- £60,000 - £69,999
- £70,000 - £79,999
- More than £80,000
- I prefer not to answer

D4: What is your occupation? (SINGLE CODE)

- Upper management, senior executive/professional
- Middle management, executive/professional
- Small business owner, self-employed
- Junior Management/professional
- Office/Administrative
- Others non-manual
- Skilled manual labour
- Manual Labourer
- Student
- Full-time parent/carer
- Housewife/Househusband
- Unemployed or casual worker
- Retired
- Other (please specify) \_\_\_\_\_ TEXT ENTRY \_\_\_\_\_

D5: What is your education level? (SINGLE CODE)

- Master's degree or above
- Bachelor degree
- A-level or equivalent
- O-level or GCSE equivalent
- Trade apprenticeships or equivalent
- Another qualification
- None of the above
- I prefer not to answer
- Other (please specify) \_\_\_\_\_ TEXT ENTRY \_\_\_\_\_

D6: What geographical region do you live in? (SINGLE CODE)

- Central London
- Greater London
- South East
- South West
- East of England
- East Midlands
- West Midlands

- Wales
- Yorkshire and Humberside
- North East
- North West
- None of the above

D7: What is your ethnic group? (SINGLE CODE)

- Welsh/English/Scottish/Northern Irish/British
- Irish
- Gypsy or Irish Traveller
- Any other White background
- White and Black Caribbean
- White and Black African
- White and Asian
- Any other Mixed/Multiple ethnic background
- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian background African
- Caribbean
- Any other Black/African/Caribbean background
- Arab
- Any other ethnic group

## Small Business Consumer Questionnaire

### A. Comprehension test & definition:

According to the Solicitors Regulation Authority, **a legal issue is a question or problem that is or could be answered or resolved by the law.** Legal issues may or may not involve the use of legal services, i.e., services involving legal or law-related matters. One may experience a legal issue but choose not to use any legal services.

Legal issues can come up in lots of different ways for small businesses including business trademarks, employee issues, and business licensing.

Based on the definition you have just read, please answer the following two questions. You will need to answer all questions correctly to proceed with the survey.

[Participants were asked to answer two related questions correctly, to make sure they understand the meaning of 'legal issue' and 'legal service' in the following questionnaire].

Questions used in comprehension test:

A1. Does having a legal issue necessarily involve using legal services? (SINGLE CODE)

- Yes
- No

A2. Can problems related to employees turn into a legal issue? (SINGLE CODE)

- Yes
- No

**IF [A1= "No" AND A2 = "Yes"] THEN direct to Question B.  
Otherwise, pause survey and notify to re-read definition and answer questions again.**

### B. SME consumer screening questions

B1: Including yourself, approximately how many full-time employees are employed by your organisation in total in the UK? (SINGLE CODE)

- 1 (just me)
- 2 to 5
- 6 to 9
- More than 9 (please give your best estimate) \_\_\_\_\_ TEXT ENTRY

B2: Are you the business owner or co-owner?

- Yes
- No

B3: Do you have legal decision-making responsibility for your business?

- Yes
- No

IF [B1= More than 9 **AND** TEXT ENRTY > =50] THEN End Survey.  
IF {B1= 1 (Just myself) **OR** 2 to 5 **OR** 6 to 9 **OR** [More than 9 **AND** TEXT ENRTY <50]}  
**AND** [B2 = No **AND** B3= No] THEN End Survey.  
Otherwise, direct to question C1.

### C. Legal issue experience

**We will ask you about your experience with legal issues that your business faced in the last TWO YEARS.**

C1: Did your business experience a legal issue within the last TWO YEARS? (SINGLE CODE)

- Yes
- No

IF C1= Yes, THEN C2.  
IF C1 = No, THEN End Survey

C2: Which of the following legal issues has your business experienced in the last TWO YEARS? Please select all that apply.  
(MULTIPLE CODE)

- Trading
- Tax
- Crime
- Employment
- Workplace related injuries/illness
- Business premises
- Rented/leased out premises
- Debt/insolvency
- Insurance
- Intellectual property
- Government regulation
- Nuisance/environmental



- Business set up and ownership
- Other (please specify) \_\_\_\_\_ TEXT ENTRY

C3: Are your legal issues ongoing or done with? Please select all that apply.

(MULTIPLE CODE)

- Ongoing
- Too early to say
- Done with - the issues persist, but I have permanently given up trying to resolve them
- Done with - the issues have been resolved
- Other (please explain) \_\_\_\_\_ TEXT ENTRY

#### D. Legal services experience

D1: What type(s) of legal service did your business use in the last TWO YEARS? Please select all that apply.

(MULTIPLE CODE: Two EXCLUSIVE answer groups presenting at the same time).

*D1a. User experience items:*

- A solicitor in a law firm
- An individual solicitor not connected to a specific law firm
- A barrister
- A claims management company
- A licensed conveyancer
- A specialist will writer/will writing and probate service
- An accountant/financial advisor
- A bank/building society
- Citizens Advice/other charity
- Another type of legal service provider (please specify) \_\_\_\_\_ TEXT ENTRY

*D1b. Non-user experience item:*

- Did not use any legal services

IF D1= Any of D1a items, THEN D2a (i.e., D2a\_1a to D2a\_5).

IF D1 = D1b item, THEN D2b.

#### D2. Use/experience of legal services

##### D2a. User experience questions

D2a\_1a\_user: prior experience:

Prior to your experience of using legal services in the last two years, has your business obtained help from a legal service provider in the past? (SINGLE CODE)

Sensitivity: General

- Yes
- No
- Don't know

IF D2a\_1a= Yes, THEN D2a\_1b.  
IF D2a\_1a = No **OR** Don't know, THEN D2a\_2.

D2a\_1b\_user: same/different provider used:

Did you use the same legal service provider you had used before? (SINGLE CODE)

- Yes
- No

D2a\_2\_user: ease of finding a provider:

How difficult was it for you to find a legal service provider?

(1= Extremely Easy, 7= Extremely Difficult) (SINGLE CODE)

Extremely  
Easy

- 1       2       3       4       5       6       7

Extremely  
Difficult

D2a\_3\_user: engagement method:

With respect to your experience using legal services, how was the service delivered? Please select all that apply. (MULTIPLE CODE)

- In-person
- Telephone
- Email
- Post
- Online
- Other (please specify)           TEXT ENTRY

D2a\_4\_user: satisfaction:

In general, how satisfied are you with the quality of the service received from the legal service providers you have used?(1= Strongly Dissatisfied, 7= Strongly Satisfied) (SINGLE CODE)

Strongly  
Dissatisfied

- 1       2       3       4       5       6       7

Strongly  
Satisfied

D2a\_5\_user: legal literacy:

To what extent do you agree or disagree with the following statements about the legal decision you made for your business?

(1= Strongly Disagree, 7= Strongly Agree) (SINGLE CODE)

Statements:

- I am good at finding information to help resolve legal issues
- I understand the legal rights and responsibilities for my business
- I know where to get good information/advice, if needed
- I am confident I could achieve a fair/good outcome for my legal issues
- I have a good knowledge and understanding of legal processes and of the steps to take to resolve my issue

Choice anchors for each statement:

Strongly  
Disagree

- 1       2       3       4       5       6       7

Strongly  
Agree

### D2b. Non-user experience questions

D2b\_non-user: consideration of legal service provider:

Even though you mentioned you did not use any legal services for your legal issue, did you consider getting help from a legal service provider? (SINGLE CODE)

- I did not think of getting help from a legal service provider and did not obtain any other help
- I did not think of getting help from a legal service provider but obtained help through other sources (please specify) \_\_\_\_\_ TEXT ENTRY \_\_\_\_\_
- I thought of getting help from a legal service provider but did not try
- I tried to get help from a legal service provider but was not successful

### E. Demographic

E1: What is your gender? (SINGLE CODE)

- Male
- Female
- Other (please specify) \_\_\_\_\_ TEXT ENTRY \_\_\_\_\_
- Prefer not to answer

E2: What is your age? (SINGLE CODE)

- 18-25
- 26-30

- 31-35
- 36-40
- 41-45
- 46-50
- 51-55
- 56-60
- More than 60 years old

E3: What level of management responsibility do you hold in your current position? (MULTIPLE CODE)

- Owner
- Partner
- Director
- Other (please specify) TEXT ENTRY

E4: How many years has the business been trading?

TEXT ENTRY

E5: What was the turnover of your company in the last financial year? Please give your best estimate if you are unsure. (SINGLE CODE)

- First year of trading
- Less than £25,000
- £25,000 to £49,999
- £50,000 to £99,999
- £100,000 to £249,999
- £250,000 to £499,999
- £500,000 to £999,999
- £1 million to £1.9 million
- £2 million to £2.9 million
- £3 million to £4.9 million
- £5 million to £9.9 million
- £10 million to £19.9 million
- £20 million to £34.9 million
- £35 million to £50.0 million
- Don't know

E6: Which of the following industry sectors does your business mainly operate in? Please select all that apply. (MULTIPLE CODE)

- Manufacturing Construction

Sensitivity: General

- Retail
- Financial services Hospitality and leisure
- Accountancy
- IT and telecoms
- Media / marketing / advertising / PR and sales
- Medical and health services
- Education
- Transportation and distribution
- Real estate
- Other (please specify) TEXT ENTRY

E7: How often does your business need legal advice? (Note: legal issues could include anything from creating an employment contract, health and safety issues, to litigation.)  
(SINGLE CODE)

- Every day
- Every week
- Every month
- A few times a year
- Only occasionally

E8: What region is the head office/main office of your company/organisation based in?  
(SINGLE CODE)

- Central London
- Greater London
- South East
- South West
- East of England
- East Midlands
- West Midlands
- Wales
- Yorkshire and Humberside
- North East
- North West
- None of the above

E9a\_legal capacity: Are you or anybody else within your company a qualified lawyer? (SINGLE CODE)

- Yes
- No

IF E9a= Yes, THEN E9b.  
IF E9a = No, THEN End Survey

E9a\_internal legal specialism: What areas of legal specialism do you have within the business? (MULTIPLE CODE)

- Contract
- Tax
- Crime
- Employment
- Personal injury
- Property
- Intellectual property
- Regulation/competition
- Business ownership
- Other (please specify)

## 7.2 Interview guide

### Variant A1: Individual consumers who used legal services

#### *Part 1: User experience*

1. Please tell me about your latest experience of using legal service as you had a legal problem  
What  
When  
Where  
Who  
How
2. What was it that made you think you needed legal support?
3. In general, what is your opinion of legal service providers? Why?
4. How did you choose your service provider?
  - a. Did you shop around and engage in comparisons?
    - i. If so, how did you identify the providers, and compare them? Why? (If they contacted someone who had been recommended to them, how did they determine they were also right for them?)
    - ii. Considered regulated or not?
    - iii. If they didn't shop around, why not?
  - b. What attributes influenced your choice of this specific legal services provider?  
Why are these important to you? (Means-Ends Chain elicitation)
  - c. What factors prevented you from choosing some other legal service providers?  
Why were they an obstacle? (Negative laddering)

5. How would you describe your feelings throughout the legal journey **PROCESS**  
(Note: important here to disentangle feelings about the **legal issues** and feelings about the **provider**, how the **provider managed**/helped overcome negative feelings)
6. How satisfied are you with your experience of using legal services?  
(decompose into different subdimensions/attributes, referring back to those mentioned in the choice of the provider)
7. What were the best aspects of your experience with this legal services provider?
8. According to your experience, what could have been improved by this legal services provider?
9. Additional experiences: questions about i) additional legal problems experienced and acted upon; ii) additional legal problems for which the consumer did not access legal services (pipe in questions from Variant B).
10. Is there any legal problem that could have been acted upon with legal services?

*Part 2: Anticipated user experience*

11. If you had to experience this legal problem again, would you do anything differently?  
Why or why not?
12. If you had to experience the following legal problem (\_\_\_) what would you do differently regarding your choice of provider? What would you do in the same way? What factors would you deem most important? What potential obstacles would you worry about?

*Part 3: Projection*



13. Imagine being individual consumer X, who faces the following legal problem [\_\_\_\_]. What would you do in that situation? (what, when, where, who, how)

**Variant A2: Consumers who used business-related legal services**

*Part 1: User experience*

1. Tell me about your business and your role in it.
2. Please tell me about your latest experience in which you had a business-related legal problem for which you used legal services (what, when, where, who, how)
3. What was it that made you think the business needed legal support?
4. In general, what is your opinion of legal service providers for small business ? Why?
5. How did you choose your service provider?
  - a. Did you shop around and engage in comparisons?
    - i. If so, how did you identify the providers, and compare them? Why? (If they contacted someone who had been recommended to them, how did they determine they were also right for them?)
    - ii. Considered regulated or not?
    - iii. If they didn't shop around, why not?
  - b. What attributes influenced your choice of this specific legal services provider? Why are these important to you? (Means-Ends Chain elicitation)
  - c. What factors prevented you from choosing some other legal service providers? Why were they an obstacle? (Negative laddering)

## Sensitivity: General

6. How would you describe your feelings throughout the legal journey? (Note: important here to disentangle feelings about the legal issues and feelings about the provider, how the provider managed/helped overcome negative feelings)
7. How satisfied are you with your experience of using legal services? (decompose into different subdimensions/attributes, referring back to those mentioned in the choice of the provider)
8. What were the best aspects of your experience with this legal services provider?
9. According to your experience, what could have been improved by this legal services provider?
10. Additional experiences: questions about i) additional legal problems experienced and acted upon; ii) additional legal problems for which the consumer did not access legal services (pipe in questions from Variant B).
11. Is there any legal problem that could have been acted upon with legal services?

### *Part 2: Anticipated user experience*

12. If you had to experience this legal problem again, would you do anything differently? Why or why not?
13. If you had to experience the following legal problem (\_\_\_) what would you do differently regarding your choice of provider? What would you do in the same way? What factors would you deem most important? What potential obstacles would you worry about?

### *Part 3: Projection*

14. Imagine being small business owner X, who faces the following legal problem [\_\_\_\_].  
What would you do in that situation? (what, when, where, who, how)

**Variant B: Consumers who experienced a legal problem but did not act upon it (individuals and small business owners; *non-users*)**

*Part 1: User experience*

1. How did you realise you had a (business-related) legal need/problem?
2. How did you try to address the problem?
  - a. If not attempted, what prevented you from addressing the problem? What has been the impact of not addressing it?
3. What would be the ideal resolution to your problem? What would be the worst experiences or potential risks you would like to avoid?
4. If you were able to, would you seek legal help?
  - a. Who would you ask for help?
  - b. Where would you look for information?
  - c. How would you identify potential legal services providers?
  - d. What attributes would influence your choice of a legal services provider? Why are these important to you?
  - e. What factors would prevent you from choosing a legal service provider? Why would they be an obstacle?
5. In general, what is your opinion of legal service providers? Why?
6. What could enhance [individual consumers/SME owners] ability to seek legal help?

7. What are the main barriers that prevent [individual consumers/SME owners] from accessing legal services?

*Part 2: Projection*

8. Imagine being [individual consumer X/small business owner X], who faces the following legal problem [\_\_\_\_]. What would you do in that situation? (what, when, where, who, how)
9. Imagine being [individual consumer X/small business owner X], who faces the following legal problem [\_\_\_\_]. What would you do in that situation? (what, when, where, who, how)